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UNIVERSITY OF MICHIGAN LAW SCHOOL

NOTES



from the dean . . .

I am glad to report that the "planning" activities of the law faculty are proceeding rapidly and satisfactorily. In this changing world the law school that stands still will soon be far behind. We at Michigan intend to be ahead. In recent months I have been personally focusing on the year 1975 or thereabouts, trying to envisage the basic intellectual needs of the Law School of that era, and thinking of the ways and means of satisfying them.

Without meaning to preclude other factors, there are certain outstanding intellectual needs that must be our main guideposts. These are:

1. Developing student powers of analysis and powers of inductive, deductive, and analogical reasoning. This has long been the principal objective of the case system. We must improve our performance in this area.

2. Inspiring and motivating the students so they will engage in the all-important process of self education—browsing widely, digging deeply, teaching themselves far more than we are able to teach them in the classrooms, and thus acquiring study habits for a lifetime.

3. Imparting, of course, the vast quantities of information concerning the corpus juris—the body of rules, principles, and standards by which we are supposed to live. This mass of material is extending itself year by year and by leaps and bounds. Studies must not only cover the increasingly complex domestic affairs, but international and foreign scenes are destined to become an increasingly important part of our program.

4. Developing in the students an ability to read, write, and speak articulately, effectively, distinctly, grammatically, and interestingly in the English language. There are always a few who can do it, but how tragic it is that there are so few! Modern primary and secondary school teaching and undergraduate college programs are, in this regard, weighed in the balance and found clearly wanting. We must find a way of meeting the deficiency so far as law students are concerned.

5. Affording more experience and developing more skill in research, penetrating deeply into one or more major legal problems, and acquiring the faculty to deal broadly, theoretically, historically, and analytically with research tasks such as those they will encounter at the bar.

These are the principal points that I would urge as the basic intellectual needs to be kept constantly in mind as we plan for the future.

Now may I try a projection into the legal education that will seek to

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Summer Institute

The 1958 Law School Summer Institute will be devoted to the subject "Collective Bargaining and the Law." It will be held July 31, August 1 and 2, and will be co-sponsored by the Institute of Labor and Industrial Relations (University of Michigan-Wayne State University).

The speakers will include persons of national reputation in the field of Labor Law from government, the academic community, industry and labor. Among those already scheduled are the following: Chairman Boyd Leedom and General Counsel Jerome Fenton of the National Labor Relations Board, Paul Herzog, Executive Vice President of the American Arbitration Association, and Professors N. P. Feinsinger (of Wisconsin), Archibald Cox (of Harvard), Charles O. Gregory (of Virginia), Clyde Summers and Harry H. Wellington (of Yale), Leroy Merrifield (of George Washington), and Frank Elkouri (of Oklahoma). A group of Labor Law practitioners, including Gerard Van Arkel and Louis Sherman (of Washington, D.C.), John J. Adams (of Cleveland), T. C. Kammholtz (of Chicago) and Howard Lichtenstein (of New York City) will also participate.

Dean—

(Continued from page 1)

achieve these objectives fifteen to twenty years hence. I recognize that for the immediate future we will go along trying by piecemeal methods to improve what we now have. Yet inside of ten years, we will realize that a courageous, radical move is the only solution. May I outline my vision of what the Michigan Law School is likely to be doing in 1975? The following will be the broad blueprint:

1. *Length of Program.* Four years of study will be required, although the opportunity will be afforded of shortening the elapsed time to three full calendar years by effective use of the summer sessions.

2. *The First Two Years—the Basic Years.* The first two academic years will deal thoroughly with the fundamentals. Courses for the most part will be required throughout. They will include contracts, property, torts, procedure, trusts and estates, legislation, evidence, constitutional law, taxation, conflicts, corporations, and possibly certain other items. There will also be included a required reading list for subjects that can be adequately dealt with in that manner. For example, at least at an elementary level, domestic relations, sales, and bills and notes might be in this category. Legal history could also be included.

These basic years will be the years in which legal methods, powers of analysis, powers of inductive and deductive and analogical reasoning will be imparted, along with a very substantial proportion of the fundamentals of law.

3. *The Two-Year Comprehensive Examination.* At the end of the second year a comprehensive examination will be given covering the entire two years of work. This will not, however, replace individual course examinations. The comprehensive examination will be a searching, two-day affair, possibly of the true-false type, thus permitting machine grading. We must learn more about such examination techniques. All examinees below a selected cut-off score will be obliged to repeat their poorest courses for one full year or else transfer to some other law school.

4. *The Second Two Years—the Laboratory Years.* These years will be devoted to developing interest and motivation, to dealing intensely with elected specialties, such as administrative law, insurance law, international law, comparative law, air law, atomic energy law, estate planning, patent law, securities, creditors rights, municipal corporations, anti-trust law, unfair trade practices, labor relations law, jurisprudence, and advanced work in taxation, sales, and bills and notes. Seminars will figure importantly, and research for and with the faculty will be used in a systematic and helpful manner. Experience in advocacy will be promoted. The Case Club program will be carried on during these two years, and a much better performance will be expected than at the present time when the work is carried on in the first year without adequate background of legal principles. Formal examinations will be minimized, but much attention will be paid to the careful grading of papers, problems, and drafts of instruments, and statutes. Grading will be followed by rewriting when indicated until reasonably high quality performance is assured. Student contacts with the practicing bar will be developed systematically and seriously, thus bringing experience with the law in action into the academic program. These will be truly laboratory years.

5. *Comprehensive Research Problem.* Finally there will be required of each graduating senior a comprehensive written paper involving the type of research on a difficult and complicated legal question that might be required for preparation of an important memorandum in a law office. Failure to write the paper in a suitable manner will require rewriting until the job is satisfactorily completed.

6. *Housekeeping Requirements.* Additional faculty and student assistant services will be required to meet the heavy burden of the second two years. I suggest that we will employ not only

graduate students but also the top twenty per cent of the fourth year students, integrating them into the instructional program.

This type of program cannot operate on a mass production basis and it will therefore be necessary to limit the size of the school. I suggest that as a maximum a first-year class of 400, a second-year class of 350, and third and fourth year classes of 300 each will be about the limit. These, together with about 50 graduate students, will make a total of 1,400, and this will be about a maximum size for effective operation.

One final thought, we should make more effective use of the summer period. Long summer vacations are a relic of the days when the young men were called into the fields to help plant, cultivate, and harvest the crops. A full use of the entire calendar year, marking out four weeks for vacation is quite appropriate for professional education, thus permitting the students to get into productive life at the earliest possible moment.

Admittedly, the fairly revolutionary aspects of such a plan will require careful thinking and capable administration. The analogy to contemporary medical education is obvious. The potentialities are great. It is my vision of legal education at Michigan in 1975.

400 Attended Conference On Industrial Relations

"Public Issues and Practical Problems in Labor and Industrial Relations" was the topic of the fourth annual Industrial Relations Conference held on the University campus early in March.

Some 400 lawyers, arbitrators, mediators, and members of the labor and industrial relations community of Michigan attended. Associate Dean Russell A. Smith, who is also co-director of the University of Michigan-Wayne State University Institute of Labor and Industrial Relations, had a major role in planning and arranging the conference.

Speakers included Joseph Childs, general vice-president, United Rubber Workers of America; Ewan Clague, U. S. Commissioner of Bureau of Labor Statistics; Frank E. Cooper, of the Detroit Bar; Harold Cranefield, general counsel, UAW; Nathan P. Feinsinger, visiting professor of law and umpire, GM and UAW; Joseph F. Finnegan, director, Federal Mediation and Conciliation Service; William Haber, professor of economics; Ronald W. Houghton, co-director, Institute of Labor and Industrial Relations; Charles C. Killingsworth, director, MSU Labor and Industrial Relations Center; Charles H. Parcels, assistant director of industrial relations, U. S. Rubber Co.; Stanley H. Ruttenberg, director, Development of Research, AFL-CIO; Meyer S. Ryder, professor of industrial relations; Lee Shaw, of the Chicago Bar; Associate Dean Russell A. Smith; John L. Waddleton, chief counsel, community and industrial relations division, Allis-Chalmers Manufacturing Co.; Elmer Walker, general vice-president, International Association of Machinists; and Edwin E. Witte, professor emeritus of economics, University of Wisconsin.

This conference is presented annually by the Institute of Labor and Industrial Relations (U. of M. and Wayne State), the Michigan State Labor and Industrial Relations Center, and the Michigan State Bar Section on Labor Relations Law.

Two visiting professors of law have been named recently for the Law School: Robert Meisenholder, professor of law at the University of Washington, for the 1958-59 year; and Frank R. Kennedy, professor of law at the State University of Iowa, for the fall semester of 1958. They will share the courses normally taught by Prof. A. F. Conard, who will be on leave, and each will teach other courses as well—Mr. Meisenholder in the field of municipal corporations and Mr. Kennedy in the fields of creditors' rights, trade regulations, and constitutional law.

New Courses, Research Projects Added to International Program

As the international legal studies program completes its third year, a number of additional course and seminar offerings have been developed.

Upon his return from a year's stay in Japan, Prof. B. J. George Jr., in cooperation with Prof. Burke Shartel, offered a seminar in comparative criminal procedure examining the impact of German and American influence upon the criminal procedure of Japan.

Dr. Eugen Ulmer, professor at the University of Munich, director of the Institute for Comparative Law and the Institute for Foreign and International Patent and Copyright Law, and the German representative on the Inter-Governmental Committee of the Universal Copyright Convention, gave a course in Principles of Comparative Law. In this, the students compared the law of contracts and negotiable instruments in the United States, Germany, France, and Italy. Professor Ulmer also offered a seminar on comparative law of copyright and trade regulations.

The 31 foreign graduate students completed their introductory training during the first semester and spent the balance of the year working in the field of their own specialities. Several are writing doctoral theses on such topics as "India's Role in the Korean Question—A Study of the Settlement of Disputes Under the United Nations" and "Managerial Powers Relating to Corporation—A Comparative Study."

Plans for new research projects in the international field have also been completed. Professor Kauper will be studying the judicial and constitutional system of Germany, while Professors Stein and Conard will be examining the problems facing the American lawyer who advises American companies doing business in Western Europe in the light of the new treaty on the European Common Market concluded by six Western European countries last year.

Professor Bishop, who is spending a sabbatical leave in Rome, is in the process of outlining a new research project to study the rights of American citizens and aliens under the Treaties of Friendship, Commerce, and Navigation to which the United States is a party. This spring he delivered a series of lectures on international law at the Istanbul University Law School. Professor Yntema, along with other projects, is in the process of completing his study on Inter-American commercial law.

Professor Wright has prepared new teaching materials on tax problems which arise when American companies do business abroad. These materials were used for the first time in a seminar which he gave in conjunction with Professor Stein, dealing with legal problems of foreign trade and investment.

Several foreign scholars and governmental experts have visited the campus and contributed to the International Legal Studies Program. For example, Prof. René David, of the University of Paris, delivered two lectures to the Freshman Contract classes on some aspects of the contract law in France. Another visitor was Sir Leslie Munro, Ambassador from New Zealand to the United States and President of the U.N. General Assembly. Officials of the U. S. State Department took part in seminar discussions on such diverse problems as disarmament and the EURATOM Treaty. Members of the legal and financial staff of American companies with operations abroad took part in seminar sessions on choosing the proper legal forms of doing business abroad and foreign exchange controls.

Prof. B. D. Inglis, of the Victoria University College in New Zealand, spent the Fall Semester in the Law School working under Professor Kauper on a comparative study in the Anglo-American law concerning aspects of legal freedom.

Two Italian scholars, Mr. Giorgio Bernini of Bologna and



Case Club finalists and the judges for the final arguments in this annual competition are shown above. The judges, from the left, are Prof. Paul G. Kauper, Judge William K. Miller, Justice William J. Brennan, Jr., Judge Charles E. Wyzanski, Jr., and Judge Theodore Levin. Students are Blair Benjamin, Guido Cesari, Joe Gruel, and Arnold Henson.

Case Clubs Argue Iron Curtain Travel

Each year the Case Clubs, an extracurricular student activity, do an outstanding job of giving the first and second year students practical appellate court experience.

The participants are divided into 18 Clubs, each presided over by a senior student judge who is assisted by a junior student clerk. The freshmen, in two-man teams, each brief and argue two cases during the year, and are graded by their court. The juniors argue an additional case during the Fall semester before a court which includes a member of the faculty, and the 16 top juniors (on the basis of all three cases) are selected to participate in the annual Henry M. Campbell Competition. The 16 participants are further eliminated in two rounds of arguments, so that four finalists remain.

This year's Campbell finalists were Guido J. Casari, of Greensburg, Pa., Arnold Henson, of Ann Arbor; Blair D. Benjamin, Waterloo, Iowa, and Grant J. Gruel, Jr., of Whitmore Lake, Mich. On April 18, they presented their briefs and argued to a most distinguished bench, consisting of the Hon. William J. Brennan, Jr., Associate Justice of the Supreme Court of the United States, the Hon. Wilbur K. Miller, Judge for the United States Court of Appeals for the District of Columbia, the Hon. Charles E. Wyzanski, Jr., Judge for the Massachusetts Federal District Court, the Hon. Theodore Levin, Judge for the Federal District Court for the Eastern District of Michigan, and Prof. Paul G. Kauper of the Law School.

The case argued in the finals involved the right of newspaper reporters and authors to travel overseas behind the Iron Curtain without undue interference from the U. S. State Department. The winners, announced by Mr. Justice Brennan at the banquet following the final argument, were Benjamin and Gruel.

Another of the year's extracurricular events was the success of the School's team in the annual National Moot Court Competition. The team, composed of Eugene G. Wanger of Lansing, Mich., and Eugene L. Hartwig, of Cleveland, O., won both the regional best-brief award and regional tournament before winning its way to the national semi-final round in New York City.

Prof. Gino Gorla of Rome will be at the Law School next Fall along with Mr. Ian D. Willock from Cambridge, England.

This year's winner of the Law School fellowship for study abroad is Michael Scott, Associate Editor of the *Michigan Law Review*. He will study at Geneva University next year.

Distinguished Lecturers Brought to Law School

Both the Cooley and Cook lecture series of the Law School were given during the spring semester, with Philip C. Jessup, Hamilton Fish Professor of International Law and Diplomacy at Columbia University, and Eugene V. Rostow, Dean of the Yale University Law School, as the lecturers.



DEAN ROSTOW

Professor Jessup, in the Cooley series, discussed "The Use of International Law—A Re-examination." He took up such topics as the procedures of settlement in international disputes and the role of national and international tribunals. His final lecture was a penetrating analysis of current problems and prospects for the future. The lectures will be published soon by the Law School.

Dean Rostow's general topic for the five lectures of the Cook series was "Planning For Freedom: The Government of the American Economy." Included in his discussions were such topics as wage and price policies, taxation, investment and speculation, and international economic policy.

The Cook Lectures will be published sometime next fall by Alfred A. Knopf, Inc., of New York.

Foreign Graduate Students Contribute to Research

For several years the Law School has carried on an extensive program of graduate studies for foreign students. In 1957-58, a new program leading to the degree of Master of Comparative Law was inaugurated, and one of the distinctive requirements for that degree is the preparation of a research paper on some aspect of comparative law. Although not all foreign students are degree candidates, a sizeable percentage do fulfill the requirements, and their research covers a wide area.

Currently pending projects include:

A Comparative Study of the Process of Judicial Review—France, Egypt, United States.

The Effect of Treaties on Local Law.

The Proposed Corporation Code of the Philippines—A Comparative Study.

Relation Between Federalism and Taxation in United States and Switzerland.

The Defenses of Restrictive Endorsement and Incomplete Instrument in American and Continental Law.

Freedom of Speech and Press under the Constitutions of the United States, India, and Pakistan.

Conflict of Laws in European Communities.

Religious Education in Philippine Schools—a comparative study.

Methods and Theories of Constitutional Interpretation—In Italy and United States.

Judicial Review of Legislative Acts—United States, Germany and Italy.

The Writ Jurisdiction of the High Courts of India as a Means of Controlling Administrative Discretion.

Plans Go Forward For Law Centennial

Since last November's issue of *Law Quadrangle Notes*, considerable progress has been made on plans for ceremonies marking the 100th anniversary of the beginning of the University of Michigan Law School. A faculty committee has been at work and two meetings have been held with members of a working law alumni committee, which has been acting in an advisory capacity.

As a result of these conferences, it has been concluded that the Centennial ceremonies will be held Sunday through Tuesday, October 18, 19 and 20, 1959. Activities will begin with a buffet supper Sunday evening in the Lawyers Club. There will be musical entertainment, a period of informal friendship, a few remarks of welcome by the Dean, and a question-and-answer session concerning the Law School comparable to that which has evoked so much interest at alumni meetings during Commencement Week.

Monday, October 19, will be a busy day, including morning and afternoon sessions, a luncheon, and a banquet. The morning program will relate to Twentieth Century Legal Frontiers in the United States, and there will be two speakers of national prominence. In the afternoon the discussion will center around current and future developments in legal education. Again, the speakers will be men of national stature in this area of the legal profession. At the luncheon, prominent officials of the State of Michigan will be present, and the main speaker at the banquet will be an English jurist.

On Tuesday, October 20, a special convocation will be held at which the main address will be delivered by a well-known American jurist.

Throughout the Centennial period, there will be opportunities for campus tours and for renewal of acquaintances with faculty and fellow alumni.

The faculty anticipates the return of from 600 to 1000 alumni and members of their families for the Centennial celebration. Naturally, such an occasion requires careful preparation, including arrangements for housing of the guests. Sometime in the fall of 1958, all alumni of the Law School will receive a communication announcing the Centennial in more detail and asking them to indicate whether they plan to attend. While it is realized that it is impossible to be certain of plans a year in advance, it will be greatly appreciated if alumni will give the planning committee their best estimate as to the possibility of returning to the campus for this occasion.

During the 1958-59 year, there will doubtless be other activities bringing the Centennial to the attention of alumni. The faculty committee on the Centennial is composed of Professors Richard Wellman, Roy Steinheimer, and Marcus L. Plant. They will be glad to receive questions or suggestions from alumni concerning Centennial plans.

The "double life" of John D. Voelker, '28l, justice on the Michigan Supreme Court and author of the best selling novel, *Anatomy of a Murder*, is related in a feature article in the Jan. 18, 1958 issue of the *Michigan Alumnus*.

Voelker, a native of Michigan's Upper Peninsula, which is the scene of his novel, was prosecuting attorney in Marquette County for 14 years. Appointed to the Supreme Court late in 1956, he won a full term on the bench in the election the following April.

Anatomy of a Murder, published under the pseudonym of Robert Traver, will be presented as a play on Broadway in 1958, and is subsequently scheduled for movie production.

1975 Enrollment Of 2,000 in Law Seen Possible

After two years of study, the Planning Committee of the Law School has presented a comprehensive report on space and facility needs of the School through 1975.

The Committee is composed of Profs. Samuel D. Estep, William B. Harvey, John W. Reed, Russell A. Smith, and Charles W. Joiner, chairman. Prof. Paul Kauper has also served on the committee. It estimates that present buildings and other facilities of the Law School can handle no more than 1100 to 1150 students at one time without diluting the quality of legal education. Under present admission standards and trends in college enrollments, this limit will be reached by the fall of 1963, with a further increase to 2000 students by 1975 if no restrictions are imposed.

To handle 2000 students, the Committee finds that an additional classroom building will be needed, as well as additional housing for 350 single students and a considerable number of married students. Because of the present book acquisition rate of the library, new library stack facilities will be needed by 1967.

Neither the Planning Committee nor the faculty as a whole is unanimous on the wisdom of increasing the size of the School beyond the present capacity of 1100 to 1150. The faculty has therefore accepted the recommendation of the Committee for an intensive self-survey of legal education at Michigan, and it has set aside the second semester of the 100th year of the School (1959-60) for the resolution of the problem. Suggestions from interested alumni will be welcomed.

The proposed self-survey will be carried on by a series of faculty committees considering such topics as these: (1) the curriculum, its content and organization; (2) more effective use of the summer session or third semester as a means toward increasing use of the available facilities; (3) student motivation and teaching effectiveness; (4) more accurate admissions procedures; (5) development of an honors program for exceptional students; (6) the working student and his success in law; (7) the research and graduate programs.

The immediate motivation for such a study is the need for additional light to assist in the solution of the problem created by enrollment pressures. Of course, each subject of study is a matter of substantial importance in and of itself and the total self-survey should be valuable in increasing the quality of legal education at Michigan. It is planned that each subject be studied by a standing or special committee, with the recommendations of all to be brought together by the Planning Committee for eventual faculty discussion and action.

Scholarships for Philippines

A generous gift from the estate of the late Clyde DeWitt has increased the Law School's scholarship and loan funds. Mr. DeWitt spent many years in the Philippine Islands, and, in his will, requested that special attention be given to scholarships for students from that country.

Prof. Allan F. Smith, chairman of the Graduate Committee, with the cooperation of the deans of law schools in the Philippines, has made arrangements to award a limited number of graduate fellowships to qualified students from that country. Special consideration will be given to applicants who are currently teaching in law schools or planning careers in government. Four such fellowships have been granted for 1958-59. These four fellows will join an additional 20 foreign students from other countries of the world next fall in the Law School.

Distinguished Visitors Serve on Faculty

Three distinguished legal educators have assisted with the teaching program of the Law School during the spring semester under appointments as visiting professors of law.

Dr. Richard Eugen Ulmer, of the faculty of the University of Munich, has been on campus since the middle of March, working with Professors Shartel and Stein in teaching the course in comparative and foreign law. Professor Ulmer is a leading scholar in the field of copyright and patent law. At the University of Munich since 1955, he has also taught at the universities of Berlin, Tuebingen, Rostock, and Heidelberg.

Also in the area of international law is the work of Joseph Dainow, of the Louisiana State University Law School, who has been teaching international law and the seminar in that field. Professor Dainow has been on the LSU faculty since 1938, having previously taught at McGill and Northwestern Universities. He was chief of the research branch of the Judge Advocate General's Department of the U. S. Army, 1942-45, and prepared the research materials for the Nuremberg trial. He was a member of the legal staff of the American prosecution for the trial. Professor Dainow is a member of the board of editors of the *American Journal of Comparative Law*.

The law of labor and industrial relations is the area of specialization of the third of these visitors, Professor Nathan P. Feinsinger, of the University of Wisconsin. Professor Feinsinger is also a Michigan alumnus, having received the B.A. degree in 1926 and the J.D. in 1928. He served on the National War Labor Board, 1942-46, and was chairman of the National Wage Stabilization Board, 1951-52. At present, Professor Feinsinger is umpire for the General Motors-UAW contract. In May, he delivered the principal address at the annual meeting of the Industrial Relations Research Association.

STUDENTS COME FROM 43 STATES, 22 NATIONS

The total enrollment in the Law School for the 1957 summer session and the 1957-58 academic year was 1,156, with 962 individual students enrolled (some were registered in both the summer and regular sessions).

A year ago there were 960 individual students during a comparable period. Unless all predictions go wrong, this quiescent period in the growth of the student body will be short lived.

The ratio of married students remains high—just slightly more than 400 are married. The number of veterans attending school under one of the G.I. Bills has dropped rapidly from 339 a year ago to 250 this year.

Michigan continues to be both a national and international law school. This year students came from 43 of the 48 states, the District of Columbia, Hawaii, Puerto Rico, and 22 foreign countries. The five states not represented in the student body were Mississippi, Nevada, New Mexico, South Carolina, and Texas. The largest groups of non-resident students (outside of Michigan) came from Illinois (87), Indiana (28), Missouri (24), New York (81), Ohio (95), Pennsylvania (48), and Wisconsin (22). Students came from 230 different educational institutions throughout the United States and the world.

A \$50 prize for composition of a church anthem has been established by the choir and congregation of Ann Arbor's First Baptist Church in honor of Prof. John W. Reed, of the Law faculty, who has been the church's choir director for the past eight years. Anthems composed by students will be judged by a committee from the Music School. Purpose of the competition is to encourage young musicians to add to contemporary church music.

Three Institutes Bring 1500 Lawyers to Campus

Three successful law institutes attracted 1,500 lawyers to the Law School this winter.

The Ninth Annual Institute on Advocacy, Feb. 14-15, was attended by nearly 1,000 Midwestern lawyers. This year's program was centered around Tactics and Techniques. Principal speakers were John R. McConnell, of Philadelphia, and Lou Ashe, of San Francisco, who argued from the defendant's and plaintiff's side of the table, respectively, on the following subjects: Settlement negotiations; the insurance problem in negligence litigation; discovery, physical examination, inspection, etc.; case organization; argument; and exhibits, demonstrations, etc.

On each topic, a panel of Michigan lawyers commented on suggestions made by the principal speakers. The panel included Carl Gussin of Detroit; Fred Roland Allaben, Grand Rapids; Ferdinand D. Heilman, Saginaw; Leroy G. Vandever, Detroit; Cornelia B. Groefsema, Detroit; Peter E. Bradt, Port Huron; and Harold S. Sawyer, Grand Rapids.

On Feb. 13-14, just prior to the Institute on Advocacy, the Law School sponsored an Institute on Modern Frontiers in Selected Fields of Law. This program proved to be stimulating and interesting to the 150 thoughtful lawyers attending.

The speakers developed their subjects with the idea of examining the developing trends and policy considerations in our rapidly changing law. Prof. Marcus L. Plant talked on "Modern Trends in Tort Law." Prof. Burke Shartel discussed "The Changing Concept of Stare Decisis." "Current Developments in the Field of Labor and Industry" was the subject of Prof. Russell A. Smith, while Prof. Paul Kauper spoke on "The Supreme Court of the United States—Its Recent Decisions and Its Impact on the Lawyer and Society."

The third institute, entitled Practical Property Problems for the General Practitioner, was held Mar. 21-22 and brought out 450 lawyers from all over the state. They pronounced successful the discussion of land contracts, preliminary sales agreements, future interest problems, tax aspects of sales and leases, highway condemnation and other pertinent topics.

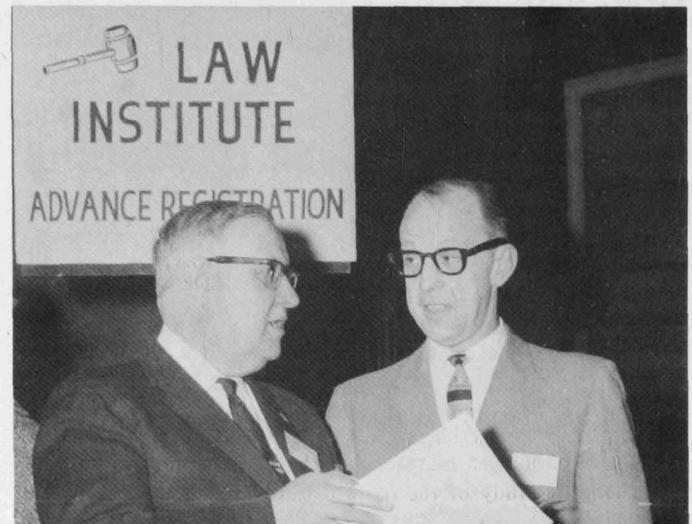
Speakers included Prof. L. Hart Wright and Prof. Allan F. Smith of the Law School; Thomas Lynch, Washington, D.C.; Louis Charbonneau, Detroit; Judge Wallace Waalkes, Jr., Grand Rapids; Victor H. Meier, Lansing; Samuel L. Travis, Detroit; Ray L. Potter, Detroit; Perry W. Richwine, Plymouth; John H. Spear, Detroit; Ralph Jossman, Detroit; Cyrus M. Poppen, Muskegon; and Reuben M. Waterman, Detroit.

Prof. Charles W. Joiner, director of the Law School institute program, states that he hopes the alumni will make suggestions as to topics and speakers for future programs. The winter institutes are only one of the aspects of continuing legal education at Michigan. During each summer, various broad-ranging topics involving international and comparative law and policy considerations receive attention. This coming summer's program will be on "Collective Bargaining and the Law," to be held July 31-August 2, 1958.

Law Review Staff Announced

Announcement was made, at the April 23 Honors Banquet, of the names of those students who will serve as the top staff of the *Michigan Law Review* for the academic year 1958-59.

Those so elected by the Faculty are Jerry Libin of Chicago, Ill., as Editor-in-Chief, and Frederic Brace, Greenville, Mich., G. Richard Hayden, Kansas City, Mo., John Jackson, Columbia, Mo., John Schwemm, Barrington, Ill., David Shute, Dearborn, Mich., and W. Stanley Walch, Sedalia, Mo., as Associate Editors.



Two of the principal speakers at this spring's institute of Practical Property Problems were Louis Charbonneau, of Detroit (left) and Judge Wallace Waalkes, Jr., of Grand Rapids (right).

Faculty Meet Alumni Coast to Coast

As mentioned in an earlier issue of the *Notes*, it is the School's policy to assist its alumni groups wherever possible in connection with projected meetings. As a part of this program, faculty representatives often attend such meetings, as the following schedule shows:

- December 30, 1957—San Francisco alumni entertained members of the faculty in attendance at the Association of American Law Schools meeting in that city.
- January 31, 1958—Dean Stason and Professor Emeritus Durfee attended an alumni luncheon in New York City held in connection with the New York State Bar Convention.
- February 20—Professor Plant represented the School at a gathering in Milwaukee, scheduled in conjunction with the Mid-Winter meeting of the Wisconsin Bar.
- April 4-11—Dean and Mrs. Stason made a westward swing, visiting with Arizona alumni in Phoenix on April 4; Southern California alumni, April 10, in Los Angeles; and Northern California alumni, April 11, in San Francisco.
- May 8 and 9—Professor Steinheimer addressed Kansas alumni at a meeting in Kansas City the evening of May 8, and at a luncheon held in Topeka, the following day. The Topeka meeting was scheduled in connection with the Kansas State Bar meeting.
- May 9—Associate Dean Russell A. Smith addressed a meeting of Michigan alumni attending the Illinois State Bar Association meeting in Aurora.
- May 23—Professor Joiner spoke at a Washington, D.C., alumni gathering.
- May 24—Professor Simes spoke at a breakfast meeting held in Akron, Ohio, as a part of the Ohio Bar annual meeting.
- May 28—Professors Plant and Russell Smith spoke at a luncheon meeting of Cleveland alumni.
- June 6—Assistant Dean Proffitt attended a meeting in Des Moines, Iowa, held as a part of the Iowa Bar's annual meeting.
- June 13—Professor Joiner will speak to an alumni group attending the Midwest meeting of the American Bar Association in St. Louis.
- June 18—Professor A. F. Smith will attend an alumni meeting in St. Paul, Minnesota, held as part of the Minnesota Bar meeting.

Curriculum Committee Recommends Experiments

The Curriculum Committee has made three basic recommendations during the past year, and all have been adopted by the Faculty, to be put into effect during the coming year. Members of this Committee are Professors Browder, Cooperrider, Kimball, Oppenheim, and Kauper, chairman.

The first of the three recommendations relates to a broadening of the School's course offerings in the area generally described as "jurisprudence." In view of the varied approaches to study and understanding of law and the legal system, and to the basic considerations that underlie the operation of the legal order, it seemed desirable to make available to students several courses of a general jurisprudential character but with varying points of emphasis.

The Faculty accordingly approved a program that calls for three elective courses: (1) a course in "Legal Methods" centered on an empiric study of the basic features of our legal system as it presently operates; (2) a course in "Philosophy of Law," with emphasis, as the name indicates, on the philosophical approach; and (3) a course tentatively designated as "Law and Society," with emphasis on the historical-sociological approach. The course in "Legal Methods" will be basically a continuation of the course which, as many alumni will recall, Professor Shartel developed and offered for many years. The program of enlarged offerings will be effective with the school year 1958-59 provided the necessary personnel and teaching load adjustments can be completed by that time.

The second and third changes relate to the first-year program. One of these has to do with the Introductory Course which was added to the first-year curriculum during the postwar period. It has been considerably modified from time to time, and as recently given, has included materials on the historical evolution of the common law, some special problems of equity jurisdiction, and an introduction to the legal system and how it operates. The faculty has now approved the Committee's recommendation that the course be substantially revised, in the interest of greater unity and coherence, and that it consist entirely of an historical introduction to the legal system, with emphasis on the rise and development of the common law system, the rise and development of equity jurisdiction, the reception of the common law in this country, and the later enlarged place of legislation in the law-making process. The new course, designated as "Introduction to the Legal System," will become effective next September.

An experimental undertaking will be the third change, aimed toward developing more effective skills in the use of the case method. One section of the first-year class entering in September, 1958, instead of taking the first-year courses in Criminal Law, will take a separate three-hour course, to be taught by Professor Cooperrider in conjunction with his Torts course, in which emphasis will be placed on problems of case analysis and an intensive study of the case method in the development of the common law. These students will then take a course in Criminal Law at a later point in their Law School studies. It is hoped that this experiment will assist the Faculty in determining what methods and techniques may be most fruitful in developing the student's capacity and skill in legal analysis and his handling of legal materials.

Robert Hoerner, of Fairfield, Iowa, and a member of the June graduating class, has been named one of three law clerks to Chief Justice Earl Warren of the United States Supreme Court.

Hoerner is editor-in-chief of the *Law Review* this year, and was recently elected to Order of the Coif. He is a former president of Tau Epsilon Rho legal fraternity and a member of Barristers.



Prof. L. Hart Wright receives the certificate for meritorious civilian service from Internal Revenue Service Training Director E. N. Montague and Wilbur A. Gallahan, administrative assistant to the IRS commissioner, on behalf of the commissioner and U. S. Treasury Secretary Robert Anderson. From the left are Dean E. B. Stason, Gallahan, Montague, and Professor Wright.

HART WRIGHT HONORED FOR TAX LAW WORK

Prof. L. Hart Wright, of the Law School, was honored this winter for service to the U. S. Treasury Department and the Internal Revenue Service.

Prof. Wright was awarded a certificate for meritorious civilian service in recognition of his "outstanding performance" in preparing a 750-page manual in basic tax law which the Revenue Service is now using in training its agents. The certificate is the highest award given by the government for this type of service.

In June, 1956, Professor Wright was appointed to a three-man commission which reviewed the Internal Revenue Service training program. On the basis of its recommendations, he was asked to prepare the basic tax law volume and an instructor's manual for use in a new training program for internal revenue agents. Working 50 to 70 hours a week while on leave from the University, Professor Wright completed both volumes in time for their use in the revised Internal Revenue training program which started in the fall of 1957.

Four New Instructors Added to Faculty

Four new instructors have been appointed for 1958-59 in the law associates program begun last September. They will work with students in the Freshman Group Program, designed to aid their orientation to the law; and with second-year students in the course in Problems and Research I and II. This provides individual work by the students in legal analysis, research and writing.

Instructors for the coming year will be Theodore M. Hutchison, a 1956 graduate of the University of Iowa Law School and a clerk for Judge Martin D. Van Ossterhout of the U. S. Court of Appeals for the Eighth Circuit, 1956-57; William K. Muir, Jr., a 1958 graduate of the Michigan Law School and assistant editor of the *Law Review*; Max A. Pock, a 1958 graduate of the Iowa Law School and formerly a student at the University of Vienna and University of Innsbruck law schools; and Nick E. Yocca, a 1958 graduate of the Michigan Law School and holder of one of the highest scholastic records in this year's class.

Instructors are chosen for this special program from among recent law school graduates who have outstanding scholastic records and who have had experience in legal research and writing.

95 Students Recognized At Honors Day Banquet

Ninety-five students were honored for outstanding academic achievement at the annual Law School Honors Day Banquet Apr. 23.

John H. Pickering, J.D. 1940, a partner in Wilmer and Broun, of Washington, D.C., was the principal speaker on the topic "The Role of the Private Practitioner Before Government Agencies."

This year's winners of the Henry M. Bates Memorial Awards were John C. Dowd, of Massilon, O., and Robert J. Hoerner, of Fairfield, Iowa, both members of the June class. Among others cited at the banquet were 27 new members of the Order of the Coif and the members of the *Law Review* staff.

Mr. Pickering described the part which a lawyer in private practice, specializing in governmental work, plays in helping the governmental process to function. He concluded his address by enumerating what he considers to be the qualities necessary for a private lawyer to carry out these functions successfully. He cited professional competence, integrity, an understanding of the ways of government, patience and tact, and a willingness to work hard and prepare thoroughly. Finally, and most important, he said, the lawyer should have a real sense of professional responsibility and an awareness of public interest.

Plant Suggests Formula For Personal Injury Cases

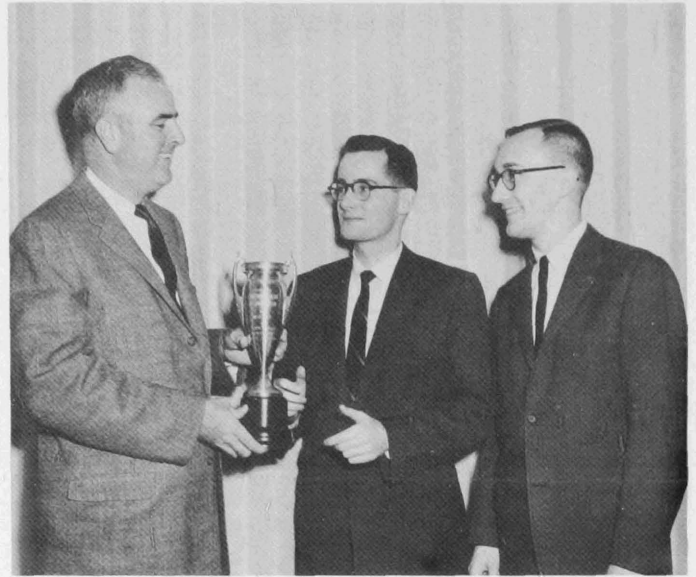
Courts need to establish objective limits on payments for pain and suffering in personal injury cases. Prof. Marcus L. Plant has asserted in a recent article in the *Ohio State Law Journal*. He suggests that such payments be limited to 50 per cent of the actual medical expenses involved in a personal injury.

Placing such a limit on awards for pain and suffering would remove one important obstacle blocking badly needed improvements in the law of negligence. Prof. Plant maintains. As an example, he cites the present law of contributory negligence. This bars recovery of damages when the person injured can be shown to have negligently contributed in any way, however slight, to his own injury. Many states have tried to adopt comparative negligence laws, he adds, but this change has been strongly opposed by insurance companies, who fear excessive claims for pain and suffering would follow adoption of this principle.

At present, Professor Plant writes, "Law relating to damages for pain and suffering in personal injury cases is extremely uncertain and the outcome of its application by juries and courts is highly unpredictable. In a certain proportion of the cases perhaps a substantial proportion, the ultimate result comports with general notions of justice. In many cases, however, a person studying the appellate reports gains the impression that the tendency of juries is to award disproportionately large amounts for pain and suffering and that such awards are difficult for the courts to control in view of the absence of definitive principles to guide them."

"In many respects the law of negligence is primitive and unsuited to the modern age," he continues, "but not all of its deficiencies lie on the side of impeding the compensation of accident victims. One of its deficiencies lies in the danger of overcompensation of such victims on an irrational basis. Improvement in personal injury law should not be limited only to these changes which increase the possibility of recovery by plaintiffs. It should go forward on all fronts."

The Law School has discontinued its program of admitting freshmen in February. Started to accommodate Korean war veterans, the program is no longer needed.



John H. Pickering, J.D. 1940, of Washington, D.C., was the speaker at the annual Honors Day Banquet of the Law School. He is shown here chatting with two of the honors students, Robert J. Hoerner and John C. Dowd.

Law School History Being Prepared

For two years assistants have been at work putting together the first definitive history of the University of Michigan Law School. There have been some historical writings on the subject in the past, but none has been made with the careful study and effort going into the one now being written. It is expected that this history will be available in 1959 by the time of the Centennial ceremonies in October of that year.

Fortunately, excellent records are available for those preparing the history. The faculty minutes were carefully kept with respect to subjects lectured upon and persons delivering the lectures. In addition to revealing the basic trends of legal education in the latter half of the 19th century, the records disclose many interesting sidelights. To mention only a few, "Taxation" is often considered a "new" subject in the law curriculum, but the records show that as early as 1875 Thomas M. Cooley was delivering lectures on this part of the law. "Administrative Law" is often thought of as a new subject. Here again, Cooley "scooped" the rest of the profession. In 1889-90, while he was Chairman of the Interstate Commerce Commission, Cooley was lecturing in the Michigan Law School on the powers and the work of this newly organized administrative agency. During the Civil War the course on Criminal Law included a number of lectures on the topic of "Treason"; after the cessation of hostilities this subject was no longer included.

When the "Law Department" first started, it occupied quarters in the old chapel of the University. These quarters were the original law library and were later the office of Shirley Smith, Secretary of the University. The first law building was dedicated in October, 1863, four years after the law school started, but the Law Department had to share the building with the University chapel and the University library for many years. Not until 1884 did the Law Department have a building for its exclusive use.

Women were admitted to the Law Department as early as 1870. Two of them matriculated that year and one was graduated with the class of 1871. The faculty solemnly concluded that, unlike the medical school of that day, women could be taught in the same classroom as men!

Shartel and Simes Announce Retirement Plans

Two veteran members of the Law School faculty, Profs. Burke Shartel and Lewis M. Simes, will begin their retirement from active teaching this summer—but both have plans for a very active “retirement”!

The youngest professor of the Law School faculty at the time of his appointment in 1920, Professor Shartel says quite simply, “My first interest in teaching has been to work with students.” He has counseled literally hundreds of them in the course of their studies and served seven years as faculty editor of the *Michigan Law Review*.

Professor Shartel has probably taught a wider variety of courses than any other man on the law faculty. At one time or other, he estimates he has handled about half the classes offered by the School. His special interest, however, has been jurisprudence, and in 1947-48, his faculty colleagues chose him for the Thomas M. Cooley lectureship on “Our Legal System and How It Operates.”

“Today, our legal thinking and methods are just as much in need of change as are those of physics and science generally,” he declares. “The lawyer understands best how the social control machinery of America works. But he can’t continue to do a good job if the machinery becomes obsolete.”

He maintains that courts play an important role in policy making—a function which they have actually performed for many years, but one which only in the last few decades has become the subject of extensive public discussion.

Courts become policy makers for two reasons, Professor Shartel explains: 1) because there is often a lag between the time new laws become desirable and the time they are enacted by legislatures, and 2) more importantly, because legislatures are too busy with taxing and spending to discover gaps in the law and to look into details of earlier laws which may need correction.

One of Professor Shartel’s ambitions is to bring together his views on this subject in a book suitable for both beginning law students and the general public. At present, he’s using most of his time outside class to finish a new book on “The Law of Medical Practice,” co-authored with Prof. Marcus L. Plant.

After his retirement begins this summer, Professor Shartel plans to complete the manuscript and turn it over to the printer. In the fall, he and Mrs. Shartel will go to Germany, where he has been offered a Robert Merton guest professorship at the Law School of the University of Munich. He lectured in Germany during the summers of 1950, 1953 and 1955, receiving an hon-

orary juris doctor degree from the University of Heidelberg in 1953. He will resume his writing when he returns to this country.

“Mr. Future Interests” of the American law profession, Prof. Lewis M. Simes, will spend the first few months of his retirement on a long-planned air trip around the globe. This has been a dream long shared with his wife—a map of the world has long hung by the breakfast table at the Simes’ residence. Their three-month jaunt will start in October.

A soft, slow-speaking Missourian, Professor Simes has served on the law faculty for more than a quarter century. From 1942 to 1954, he was the first director of the School’s legal research program, guiding the spending of \$100,000 annually in funds left the School by benefactor William W. Cook.

In 1946, Professor Simes helped draft a model probate code for the American Bar Association. This was used as the basis for legislation in Arkansas, Indiana, Texas, and Missouri.

The following year, he was chosen for the Floyd Russell Mecham University Professorship in Law, a position he still holds. And in 1953-54, the Law School faculty invited him to deliver five Thomas M. Cooley lectures on “Public Policy and the Dead Hand.”

Professor Simes describes himself as “a firm believer in research in advancing the science of law.”

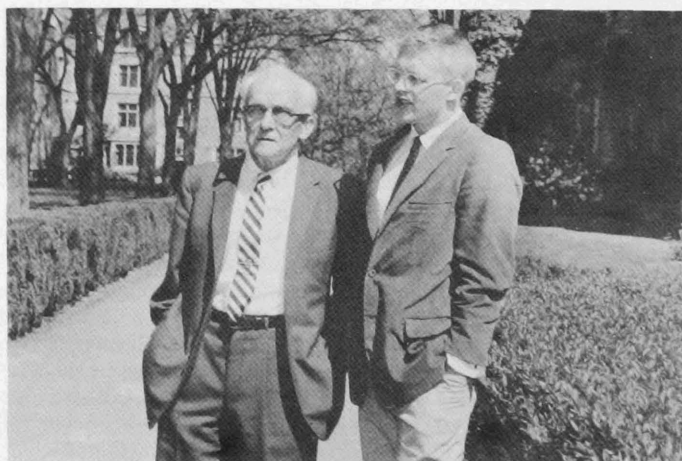
“You can’t do anything about reforming the law without knowing what the law is and how it operates,” he explains. “Research provides a means of rationalizing a number of interpretations of existing law. It provides the basis for new legislation, as well as wider use of existing law.”

Once his three-month trip is over, Professor Simes plans to return to research, this time to develop a model code, basic texts, and model title standards for conveyancing. Professor Simes’ interest in conveyances has developed in part from his work in future interests, which sometimes involve real estate, and from his basic belief that law advances through research.

“It is becoming increasingly difficult and expensive for the general public to transfer ownership of real property with a clear title. As titles to a particular property get longer and longer, they are bound to have more mistakes included,” he points out. “In theory, the recording system for transferring title to property is so complex as to be almost unworkable; in practice, lawyers get along with the system by agreeing to overlook certain minor errors in recording.”

A three-month trip around the world is planned by Professor Simes this fall, as he begins retirement. His extensive writing on wills, trusts, and related legal documents has earned him the title of “Mr. Future Interests” of the legal profession.

Burke Shartel, professor of law at Michigan for 38 years and counselor to hundreds of students, here chats with Frederic Brace, Jr., associate editor of the Michigan Law Review and son of Frederic Brace ('34), practicing attorney in Greenville, Mich.



Faculty News Notes

A. F. Conard—His recent publications include an article in the Dec. 1957 issue of *Rocky Mountain Law Review*, entitled "Simplifying Security Transfers"; one in the April issue of *Michigan Law Review* on "A New Deal in Fiduciaries' Security Transfers"; and (with Eric Stein) a note on an education experiment at the Law School called "Foreign Law in Foreign Language," published in the Oct. 1957 *Journal of Legal Education*. Professor Conard will be on leave in 1958-59, to study and lecture at the University of Istanbul, pursuant to an agreement between the law schools of Columbia, Michigan, and Istanbul. During the coming year, he will carry on research in France on international trade, and give three lectures in Luxemburg at the International Center of University Studies.

Frank E. Cooper—He spoke before the Calhoun County Bar in January on "Trial of an N.L.R.B. Case," and was discussant of a paper by Edwin E. Witte on "The Government and Union-Management Relations: Past, Present and Future" at the March 6 and 7 Industrial Relations Conference in Ann Arbor. While maintaining an active law practice, Professor Cooper continues his work on the various committee assignments mentioned in previous issues of the *Notes*, and also continues to write extensively. His latest article was "The Process of Administrative Decisions" in the Mar. 1958 issue of the *American Bar Association Journal*. Professor Cooper's published volumes include: *Administrative Agencies and the Courts*, (1951, Univ. of Mich.); *Effective Legal Writing* (1953, Bobbs-Merrill Co.); *Cases and Other Materials on Administrative Tribunals*, 3d ed., Stason and Cooper (1956, Callaghan and Co.); and *The Lawyer and Administrative Agencies* (1957, Prentice-Hall).

Luke K. Cooperrider—His recent projects have included an article in the June 1958 *Michigan Law Review* criticizing the "accident liability" principles advocated by Professors Harper and James in their treatise, *The Law of Torts*, and a commentary on the tentative provisions of the Second Edition of the *Restatement of Torts* relating to the problem of trespassory torts within the family. The latter will be published in a fall issue of *Minnesota Law Review*. Much of Professor Cooperrider's time has been devoted to preparation of a freshman course in elementary legal analysis to be taught experimentally next fall to one freshman section in connection with their torts course (details on this plan elsewhere in this issue).

Samuel D. Estep—With his research assistant, David Olmsted, and in consultation with Dean Stason and Professor Pierce, Professor Estep has prepared a model state statute to provide comprehensive regulation of atomic energy hazards. Drawn up at the request of Michigan's Governor Williams, a version of the statute was introduced in the current session of the Michigan Legislature. It provides for the establishment of a radiation safety board to set uniform standards for all uses of radiation sources and materials in the State. This proposed legislation is the first of its kind to attempt to centralize in one state agency all powers to establish radiation safety standards but retain enforcement powers in existing agencies.

B. J. George—As one of the speakers at the annual meeting of the Sixth Judicial Circuit, in Ann Arbor June 5-6, Professor George discussed the comparative aspects of sentencing, as part of the day's major topic—disparity of sentence. Professor George also participated this spring in the University's Center for Japanese Studies program for graduate students, delivering three lectures on the Japanese legal structure. Some of his recent writings include an article on habeas corpus, published in last November's issue of the Japan Criminal Law Association journal and a paper submitted for the 5th International Congress on Comparative Law (in Brussels in August), concerning scientific investigation of defendants' rights.

W. B. Harvey—With Prof. John Dawson of Harvard, Professor Harvey is currently completing the manuscript of *Cases and Materials on Contracts and Contract Remedies*, to be published this summer by Foundation Press. He has also written an article on the problems confronting landowners in the vicinity of airports, for presentation at the International Conference on Comparative Law in August and also for publication in the June issue of the *Michigan Law Review*. During July and August, Professor Harvey will participate in a six-week Symposium on the Administration of Criminal Justice in the United States, held at the University of Wisconsin under sponsorship of the American Bar Association and the Ford Foundation. On the extra-curricular side, he is serving on Ann Arbor's Mayor's Citizens Committee on Urban Renewal.

Charles W. Joiner—Some recent additions to Professor Joiner's busy schedule have included: appointment to the Special Committee on Uniform Rules of Evidence for the Federal Courts of the A.B.A.; participation in a panel discussion at the annual meeting of the Association of American Law Schools last December on "The Use of Motion Pictures in Teaching of Law and Procedure"; lecturing before the annual meeting of the International Academy of Trial Lawyers, in January, on "Should Uniform Rules of Evidence Be Adopted by the Federal Courts?"; attendance at the mid-winter meeting of the A.B.A. in Atlanta, Ga., in February, to participate in meetings of the Special Committee on Uniform Rules of Evidence for the Federal Courts, the Editorial Board of the *Practical Lawyer*, and the Committee on Continuing Legal Education of the American Law Institute; lecturing at the University of South Carolina Law School in March on "Science Aids the Lawyer" and "The Use of Scientific Evidence"; addressing the Fifth Circuit Judicial Conference, in Atlanta, on uniform rules of evidence for the Federal courts; and continuing his work as chairman of the Joint Committee on Michigan Procedural Revision in the preparation of new rules and statutes for the State of Michigan. In coming months, Professor Joiner will address the regional meeting of the American Bar Association in St. Louis, the Judicial Conference of the Fourth Federal Circuit in Hot Springs, Va., and the American Bar Association sectional meeting on Judicial Administration, all on topics relating to uniform rules of evidence. Professor Joiner has also recently published an article on "Uniform Rules of Evidence for Federal Courts," 20 *Federal Rules Decisions* 429 (1957).

Paul G. Kauper—The United States Supreme Court and recent trends in its decisions has been the topic for Professor Kauper's addresses at the Law School's Institute on Modern Frontiers in Selected Fields of Law and at the annual Judicial Conference of the Federal Judges of the Sixth Circuit. He has written the chapter "Law and Public Opinion" for the book, *Religion in the State University*, to be published soon by the University of Michigan Press. Professor Kauper spoke on the same subject at the annual convention of the American Personnel and Guidance Association, in April. As a member of the State Bar's Committee on Condemnation Procedures, he has supervised research and preparation of reports on this subject, and continues to serve as a member of the Ann Arbor Planning Commission. In June, Professor Kauper will receive an honorary Doctor of Laws degree from Earlham College. Next September, he will serve on the delegation of American law teachers that will attend and observe the colloquium to be held in Warsaw, Poland, on the general subject "The Rule of Legality in the Socialist State." This colloquium will be held in conjunction with the annual meeting of the International Association of Legal Science and will be a follow-up to that held in Chicago a year ago on "The

(Continued on page 11)

Faculty News Notes—

(Continued from page 10)

Rule of Law in the Western World. Professor Kauper was recently selected as one of 10 "distinguished alumni" by Tau Kappa Alpha, national honorary forensic fraternity.

Spencer L. Kimball—Part I of Professor Kimball's article (with W. Eugene Hansen) on "The Utah Insurance Commissioner: A Study of Administrative Regulation in Action" appeared in 5 *Utah L. Rev.* 429 (1957) and Part II will appear in the Spring 1958 issue of the same journal. Recently published, also, is an article written with Ronald N. Boyce on "The Adequacy of State Insurance Rate Regulation: The McCarran-Ferguson Act in Historical Perspective" in 56 *Mich. L. Rev.* 545 (1958). These articles are, in a sense, pilot studies prior to a more comprehensive study of the American insurance commissioner in action. The latter will be part of a four-year study of insurance law from a functional point of view, to be undertaken by Professor Kimball under a research grant from the Cook foundation.

S. Chesterfield Oppenheim—Last December, the Patent, Trademark and Copyright Foundation announced that Professor Oppenheim would receive the first Charles F. Kettering Award for Meritorious Work in Patent, Trademark, and Copyright Research and Education. The award, to be presented annually, is named in honor of Dr. Kettering, who is a member of the Advisory Council of the Foundation. Presentation of the award will take place at a dinner in Washington, D.C., on June 19, as part of the Foundation's Annual Public Conference. Professor Oppenheim will be the principal speaker at the dinner. The Patent, Trademark and Copyright Foundation was established by the George Washington University in 1954, and is devoted to research and education in the field of the patent, trademark, copyright and related systems. Professor Oppenheim was among those primarily responsible for the establishment of the Foundation and currently serves it as the Adviser on Research.

W. J. Pierce—During the Spring semester, Professor Pierce served as a consultant to the National Association of Attorneys General on federal and state escheat legislation, and in February, he testified before a sub-committee of the California Legislature on state abandoned property and escheat legislation. Recent speeches have included one on "Probate Court Rules in Michigan," at a Detroit institute sponsored by the Probate and Trust Law Section of the State Bar, and an address on "Problems in Developing a Model Water Use Act" before the American Society of Civil Engineering, at a meeting in Ann Arbor in February. Another item of interest is Professor Pierce's appointment to the Committee on Scope and Program of the National Conference of Commissioners on Uniform State Laws. Beginning last fall, Professor Pierce has assumed principal responsibility for the Law School's legal publications.

Marcus L. Plant—As noted elsewhere in this issue, the April 1958 issue of the *Ohio State Law Journal* carried Professor Plant's article on "Damages for Pain and Suffering." In addition, he presented a paper on "Modern Trends in Tort Law" at the Institute on Modern Frontiers in Selected Law at the Law School this winter. He is serving on the Michigan State Bar's Negligence Section Council and its Medico-Legal Committee as well as on the University's Special Committee for Study of the University Calendar, appointed by President Hatcher last February.

Alan N. Polasky—At a special institute sponsored by the Probate and Trust Law Section of the State Bar of Michigan, held in Detroit in March, Professor Polasky lectured on "Problems of Principal and Income."

Burke Shartel—"The Changing Concept of Stare Decisis" was Professor Shartel's topic at the Modern Frontiers institute held at the Law School this winter. Next year, he will fill the Richard

Merton Guest Professorship at the University of Munich, in Germany, lecturing there on American law and legal thinking. He will be in Munich from October 1958 to April 1959.

Lewis Simes—In February, Professor Simes addressed an Institute on Title Standards, conducted by the Florida State Bar, in Gainesville, on "Our Conveyancing System: Maladies and Remedies."

Allan F. Smith—In March, the Michigan State Bar Association's Committee on Title Standards, of which Professor Smith is a member, presented 20 additional standards to the State Bar. Professor Smith took active part in the Law School's Institute on Practical Property Problems, delivering a paper on "Future Interests for the Busy Practitioner" and taking part in a panel discussion of title problems. He continues to direct the graduate and research program of the Law School.

Russell A. Smith—Professor Smith has been asked to serve as Associate Reporter for the Chapter on Labor Law to appear in the second edition of the *Restatement of Torts*. Dean William Prosser of the University of California Law School is the Reporter. The late Harry Shulman, Dean of the Yale Law School, was the Associate Reporter for the first edition. Earlier this winter, Professor Smith was one of the speakers at the Law School's Modern Frontiers Institute, discussing "Current Developments in the Field of Labor and Industry." In his capacity as Co-Director of the Institute of Labor and Industrial Relations (U. of M.—Wayne State), Professor Smith has made numerous appearances throughout the state as speaker and Institute representative.

E. B. Stason—Last fall, Dean Stason participated in the Twelfth American Assembly at Arden House, Harriman, N.Y. A group of about 60 persons, all connected with atomic energy affairs, discussed "Atoms for Power—United States Policy in Atomic Energy Development." A booklet containing background papers and conclusions reached by the group is available through The American Assembly, Columbia University, New York City. The Dean has been serving as chairman of the Michigan Study Commission on Tax Administration, appointed by Governor Williams, and in that capacity prepared a State Tax Court Bill which is unique in state legislation. In the press of other business, the bill was not reported out of committee in the 1958 legislative session, but will be reintroduced next year. Dean Stason also worked with Professors Estep and Pierce on the drafting of an atomic energy regulatory act which was introduced in this year's Legislature. He is also serving as chairman of the Radiation Safety Committee of the Board of Trustees of the Power Reactor Development Company which is building the 100,000 kilowatt atomic power plant near Monroe, Mich. The Dean's future plans include a trip to Cologne, Germany, in July, to serve as rapporteur for the 1958 Conference of the International Bar Association, on the subject "Civil Liability for Radiation Injuries and Financial Protection Against Such Liability." In addition to preparing his own paper, he is receiving, analyzing and comparing papers from Canada, Britain, Germany, Austria, Spain, France, Italy, Japan, and Brazil. He will also attend the Geneva International Conference on Peaceful Uses of Atomic Energy held under United Nations auspices in September, and will there read a paper on "A Comparative View of the Law Concerning Civil Liability from Radiation Injuries."

Eric Stein—Professor Stein was chairman of a panel on "Legal Problems of Private International Enterprise" at the annual meeting of the American Society of International Law, in Washington in April. He will be studying legal problems arising out of the establishment of the new European international organizations in Europe this summer, in Brussels, Luxemburg, Paris, and London. During the present academic year, Professor Stein has been director of the International Legal Studies program of the Law School.

(Continued on next page)

Faculty News Notes—

(Continued from page 11)

John B. Waite—Professor emeritus Waite is currently writing a 10,000-word article on "The Legal Approach to Crime and Correction" for Duke University's publication, *Law and Contemporary Problems*, as part of a symposium on the subject.

L. Hart Wright—His numerous recent speaking engagements have included an address on "Recent Important Federal Income Tax Developments" at the annual Institute on Federal Taxation sponsored by the Taxation Section of the State Bar of Michigan; a lecture before the Battle Creek Bar Association on "Tax Matters of Interest to the Small Town Practitioner"; a speech at the Law School Institute Practical Property Problems on "Tax Planning with Reference to Real Estate Affairs"; a talk to the Estate Planning Council of Flint, Mich., on "Some Reflections on Estate Planning as It Affects a Client's Trade or Business"; an address at the annual Institute for Accountants, at Ohio State University, on "Internal Revenue Service Technicians, Yesterday and Tomorrow"; and a lecture in Washington, D.C., to instructors of the Internal Revenue Service on "How To Train Professional Tax Men."

Hessel E. Yntema—In August, Professor Yntema will attend the Fifth International Congress of Comparative Law, in Brussels, Belgium. The Congress will be sponsored by the International Academy of Comparative Law, of which Professor Yntema is a vice-president. The other American members of the 40-member Academy are Roscoe Pound, E. D. Dickinson, Austin Scott, and Max Rheinstein. Later in August, Professor Yntema will spend some time at the International Center of University Studies in Luxemburg, as a member of the international faculty of law being assembled by the government of Luxemburg. He will also serve on the Center's University Council. In September, he is to attend the annual Conference of the International Association of Legal Science, in Warsaw, as a member of the executive bureau, representing the United States.

Nineteen student judges have been chosen for the 1957-58 Case Club trials. Judges are all top-ranked seniors with two years' experience in the moot court trials, and they will judge the presentations by underclassmen. Presiding judge will be Arnold Henson, of Ann Arbor.

Law School To Publish Seven Books Within Year

The office of Michigan Legal Publications contemplates for the coming year a publishing program that will bring before the public seven books of outstanding research in the law.

First, it will place on sale in the late spring the long-awaited fourth and final volume of the late Ernst Rabel's monumental treatise, *The Conflict of Laws: A Comparative Study*. This last volume contains Dr. Rabel's exhaustively documented analyses of conflicts law in these areas: Property; Bills and Notes; Inheritance; Trusts; Application of Foreign Law; and Inter-temporal Relations. Because Volume I of this invaluable work is out-of-print and the supply of Volume II is being rapidly depleted, a revised edition of these two volumes has been planned and is now in press.

To be released in the summer will be *Water Resources and the Law*, a study of water rights and water law undertaken by the Legislation Research Center, including a Model Water Use Act prepared by the staff, and also some papers delivered at a conference held on the subject last September at the Law School. Planned for fall publication are the five Cooley Lectures which Professor Philip Jessup gave at the Law School in March, 1958, to be published under the title, *The Use of International Law*. The subjects of the individual five lectures are as follows: "The International Community Subject to the Law"; "Procedures of Settlement"; "The Role of National Courts"; "The Role of International Courts"; and "Problems and Prospects."

In the Michigan Legal Studies series, two books are scheduled for publication. *Constitutional Uniformity and Equality in State Taxation*, by Professor Wade Newhouse, University of Buffalo Law School, and former Research Assistant, Legislative Research Center, surveys the uniformity clauses of the states' constitutions and analyzes the constructions placed upon them by the courts. The second title to be issued, *Fraud on the Widow's Share*, by Professor W. D. Macdonald, investigates the many legal problems raised when the widow's statutory share is defeated by the decedent's post-nuptial transfers of property and presents an extensive critique of the prevailing statutory and case law.

All of these works of valuable research will be available through the office of Michigan Legal Publications.

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