

# Law Quadrangle Notes

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## From the Dean . . .

It was bound to come, and it has come. The Law School has financial needs which cannot reasonably be expected to be met from state appropriations, and we are turning, as other schools have, to our alumni for help. The Development Council has authorized the creation of a University of Michigan Law School Fund. A group of alumni, headed by Herbert E. Wilson of Indianapolis, has undertaken to create the necessary organization to carry out the first annual campaign this fall. We will work in full cooperation with the Development Council, the general University Alumni Fund, and the Alumni Association. Some of you will be called upon and asked to help in the job to be done. I know that you are eager to do what is necessary to keep Michigan on top in legal education.



DEAN SMITH

The Law School at The University of Michigan is unique among state-supported law schools; first, because it has attracted over the years, to supplement state appropriations, financial support from alumni which has enabled it to develop a research program, a graduate program, and a research library which lend distinction and quality to its contributions to legal education. Second, it has attracted a student body from across the nation to bring diversity normally found only in the national private schools. The partnership between the State of Michigan and the law alumni, and the national character of the student body, have combined to produce what we believe to be one of the highest quality law schools in the world. To maintain that quality and to carry forward with the continuous improvement which produces quality will require funds from both sources of support beyond those which are now available. We believe the state will respond to the financial needs which may reasonably be expected from Michigan taxpayers. We hope our alumni will respond to help us fill out the kind of program which has for so many years produced lawyers who have served the state and the nation with distinction.

We want the alumni to know the nature of the needs. To the extent that they are met, we can continue to provide the "extra quality" education which our graduates have always received, and for the state and nation the services which only a dedicated and high-quality educational institution can supply.

## Law School Fund Is Established

Establishment of The University of Michigan Law School Fund by the University Development Council is the first specific result of a conference last winter among a group of Law School alumni, faculty, Development Council and Alumni Association representatives.

One of the principal recommendations of the conference group was that such an annual giving opportunity be established. Herbert E. Wilson, of Indianapolis, has been named chairman of the Fund.

The general topic for discussion at last winter's meeting was the strengthening of Law School relationships with alumni in a variety of ways. Charles W. Joiner, associate dean of the School, emphasized several areas of need:

1. The Law School needs advice from its alumni with respect to educational policy if it is to be sensitive to society's expectations from the legal profession, to remain in touch with the profession, and to fulfill its obligation to prepare students for active practice of law.
2. The quality of the student body and therefore of the profession will be improved only if the law schools attract students of high quality and ability. The assistance of the alumni is essential in accomplishing this goal.
3. If Michigan alumni are to be placed in positions where their abilities may be used to the maximum, the established alumni must assist the Law School's placement program.
4. There are substantial financial needs that cannot be met out of legislative appropriations, student fees, or present endowment. For the satisfaction of these needs, the Michigan Law School, like other law schools of front rank, should look to its alumni.



Herbert E. Wilson (LL.B. 1923) has been named chairman of the University of Michigan Law School Fund for 1961-62. Mr. Wilson practices law in Indianapolis, Ind.

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## Law School Fund—

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gave considerable attention to the interrelationship of proposed Law School alumni organization with these University-wide activities.

The establishment of the Law School Fund is the first step toward the expanded alumni program discussed by this group. The charter for the new organization and an outline of the kind of financial needs which the Fund will help to meet are included in this issue of the *Law Quadrangle Notes*. Comments or questions about the plan are invited, and may be addressed to Associate Dean Charles W. Joiner, of the Law School.

Alumni attending the February conference included: James R. Breakey, Jr., Ann Arbor; Chester J. Byrns, Benton Harbor, Mich.; Ralph M. Carson, New York City; Glenn M. Coulter, Detroit; George E. Diethelm, New York City; Thomas V. Koykka, Cleveland; Sam Ford Massie, Jr., Grand Rapids, Mich.; John H. Pickering, Washington, D.C.; James A. Sprowl, Chicago; Jack L. White, Cleveland; and Herbert E. Wilson, Indianapolis, Ind.

The Law faculty was represented by Dean Allan F. Smith, Associate Dean Joiner, Associate Dean Russell A. Smith, and Professor John W. Reed. Alan W. MacCarthy and James K. Miller represented the Development Council, while Alumni Association representatives were John E. Tirrell and Harold M. Wilson.

## Dean Outlines Law School Needs

The following statement, prepared by Dean Smith, outlines the major areas of Law School needs for funds. This statement forms the basis of this year's request for funds, and it is hoped that alumni will study it thoughtfully.

### 1. Student Financial Aid

A major concern is money to help law students get through school. It takes no argument to prove that costs of education have risen. Our tuition for non-resident students is \$880 per year, and living costs will add a minimum of \$1200 to \$1400 per year. This expenditure comes after the student has already finished four years of college—at a time when family resources have been badly strained. In 1960-61 we were able to supply many students (almost a third of the student body) with substantial assistance in various forms. A significant portion of this came from the Centennial gift supplied by alumni. If that amount is not somehow replaced, we shall be unable to meet what will probably be a greater demand in 1961-62. Our goal, and we believe it to be that of our alumni, is to assure every qualified student that he need not forego legal education for financial reasons. Loan funds and scholarship funds for the outstanding scholars must be increased. All of our alumni are probably aware of the generous gifts of Frederick Leckie from Ohio and Clyde A. DeWitt of New York and Washington. Until recently, these, combined with the several class funds which our alumni have built, and other smaller funds, have met the need. But even these resources are not adequate to the needs in the coming years. A sizable portion of annual gifts will be used for this purpose.

### 2. Research Support

For more than two decades, the William W. Cook Endowment for Legal Research has supplied Michigan Law School with a fund earmarked for the support of legal research. It is almost impossible to calculate the values which the endowment has brought to the School, to the state, and to society. Individual faculty members have been able to secure research assistants, secretarial help, and released time for research. The research activity of the faculty has enhanced the classroom experience be-

cause of the expertise thus acquired. The availability of these research funds has greatly assisted in the recruitment of faculty. The Endowment has supported the Cooley Lecture Series, and brought to the Law School a distinguished group of visitors. It has supported some graduate fellowships and helped maintain publication of the Michigan Legal Studies, which contain significant treatises which have guided the path of legal developments. It has, above all, helped to bring to the faculty a group of extraordinarily able men who relish not only the teaching of young men but the opportunity to write, to provide leadership in the improvement of legal rules and in the administration of justice. No one can read Rabel's monumental work on *Comparative Conflict of Laws*, or Gsovski's *Soviet Civil Law*, or the more recent book edited by Stein and Nicholson, *American Enterprise and the European Common Market: A Legal Profile*, with contributions from Professors Stein, Wright and Conard, without a sense of pride in these accomplishments. No one can examine the role which Professor Joiner's research played in achieving modernization of Michigan's legal procedures, or the role which Professor Wright's research played in his service to the federal government without a sense of gratitude that support was available. No one can examine the works of Kauper, Russell Smith, Oppenheim, Polasky, Kimball, Palmer, Browder and the others of the faculty without developing a deep desire to see their works expanded.

It is to fulfill such a desire, and to assure continuation of these contributions, that added support for research is needed. Our faculty has grown, both in numbers and in the acquisition of insights into the workings of our system of achieving justice, and the Cook Endowment, handsome as it is, will no longer meet the entire demand. Maximum exploitation of these human resources, through adequate financial support, is an objective worthy of support.

### 3. The Law Library

It is no exaggeration to say that Michigan's Law Library ranks among the finest in the world. It must be kept in that category. State funds will buy the ordinary requirements and will provide the staff and the maintenance. But greatness in libraries comes with the acquisition of more than ordinary requirements. Such "extras" are traditionally a responsibility of those who appreciate the values of research library facilities. We want, and we need, to keep this resource available to the state and nation in topnotch condition, and we think you will agree.

### 4. The Graduate Program

Only a few law schools have the resources, in faculty and in library, to provide graduate training for lawyers—particularly graduate training for prospective law teachers. Michigan is one such school, but the cost is great. In 1940, a graduate fellowship of \$1200 paid tuition and a sum for maintenance equal to or higher than the beginning practitioner might expect from most law offices. Today, it requires from \$5,000 to \$6,500 to achieve the same relative status. Moreover, if one seeks to attract to the teaching profession a young man with two to five years' experience, the stipend must be greater to minimize financial sacrifice. We have spread our available funds as far as possible to encourage young men to teach and to provide advanced training for young men already teaching who need the broadening experience which graduate work can provide. But the number we can assist falls short of the needs. Financial capacity to enlarge and improve the program is a need which we hope can be met.

### 5. A Dean's Fund for Special Activities

This heading sounds a bit trivial compared to those which precede it, and in monetary terms the need is not large. Nevertheless, the Law School is a large enterprise and there is a need for a fund which may be used for a myriad of miscellaneous affairs. Perhaps some examples will suffice to show the needs that would

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## The Law School Reports - 1960-61

TO: The President of the University  
FROM: Allan F. Smith, Law School

The administrative reorganization which was inaugurated last fall has proved effective to provide during the year a strong program of undergraduate and graduate instruction, an excellent research program, and a remarkable record of service to alumni and the legal profession. The Law School faces problems concerning its size, its curriculum and its student-teacher ratio.

### Admissions to the Law School and the Student Body

Total enrollment in the fall of 1960 was 922, an increase of 85 over 1959. This total included 387 freshmen, 229 juniors, 270 seniors, and 36 graduate students.

The entering freshman class came from 34 states, Canada and Puerto Rico, and from 108 different undergraduate colleges. Michigan undergraduate schools furnished 150 of the 387 freshmen. In terms of quality, approximately one-half of the freshmen ranked above the 74th percentile on the national law school admission test, and 86 per cent of them ranked above the 50th percentile. Those who ranked below had demonstrated ability through high academic undergraduate records.

The physical facilities of the Law School, so far as classrooms and seminar rooms are concerned, will accommodate a total enrollment of approximately 1100 students. Thus, we are still able, subject to getting necessary staff additions, to accept all qualified applicants for admission. The fact remains, however, that pressures are developing which indicate that we will reach capacity within a very few years. We have therefore adopted a policy of gradually increasing the standards for admission in an effort to bring further improvement in the quality of the student body and to cut down the number of students who fail academically. Applications for admission for the year 1961-62 are about 13 per cent above the number last year, and the quality of the applicants remains high. Hence the higher standards for admission will not greatly affect the size of the entering class in 1961.

### The Physical Facilities of the Law School

For the second time since the erection of the Law Quadrangle, the Law School faces space shortages. The first was met in 1956 with the additional stack space in the Legal Research Building. Today, although classrooms are adequate, office space for faculty, library personnel, and research personnel is in short supply. Book space appears to be adequate for about five more years at the present rate of growth. It is clear, therefore, that new construction will be required by 1965-66, to take care of office and library space needs. Whether the new building should also include additional classroom space depends upon the decision concerning the ultimate size of the Law School. If a limit of 1100 is to be maintained, the added space can be restricted to library and office facilities. If we are to grow beyond a student body of that size, the new building will necessarily have to include classrooms and seminar rooms. The faculty will endeavor to reach a decision on this crucial matter during the year 1961-62.

### The Law Faculty and Its Activities

The strength of the Law School lies, of course, in the strength of faculty. Measured in any terms, the Law Faculty has demonstrated during the year its high sense of dedication to teaching, to scholarship, and to the profession which it serves. Its contributions to scholarship and to the life of the University, and its effective participation in civic and professional organizations are described below.

**A. Personnel Changes on the Faculty.** Dean E. Blythe Stason and Professor Hessel E. Yntema completed their terminal furloughs this year. The distinguished contributions which each has made to the Law School, to legal education, and to the legal profession have extended over many decades.

Professor Charles W. Joiner was named Associate Dean and Professor of Law during the year, and Associate Dean Russell A. Smith was additionally named as Director of Legal Research.

Assistant Professor Robert L. Knauss, J.D. Michigan, 1957, joined the faculty to assist in the teaching of Contracts.

Messrs. Peter H. Hay, Relp L. Brill, Robert E. Parella and Robert Dunlap, and Mrs. Barbara A. Burt served as instructors during the year for the required course in Problems and Research.

During the year Professor Frank R. Kennedy from the University of Iowa, Professor Sanford H. Kadish from the University of Utah, Visiting Associate Professor Roger Cramton from the University of Chicago, and Assistant Professor Jerold Israel, clerk to Associate Justice Potter Stewart of the U.S. Supreme Court, were appointed to the faculty, effective in the fall, 1961.

**B. The Student-Faculty Ratio.** The new appointments will help materially to provide teaching strength required to maintain the undergraduate and graduate curricula. It must be noted, however, that our student-faculty ratio is higher than desirable, and we must look forward to an increase in the size of the Law School staff over and above the increase which may be made necessary by increasing enrollment. Class sections in required and heavily elected courses frequently now carry from 80-100 students, as against a desirable maximum of 65-70. Thus, in order to maintain teaching quality we must soon move to five sections in the freshman classes and in second and third year courses which are taken by all or substantially all of the student body. The needs are such that the equivalent of 12 new positions should be added over the next four or five years, in addition to the replacement of retiring professors, and one new position for each increase of 20 students enrolled.

**C. The Research Program.** Financed largely by W. W. Cook Endowment funds and funds from the Ford Foundation, the research program of the Law School has moved forward well during the year. The books published at the Law School or by its faculty during the year are listed in an appendix. Particular attention should be called to two publications. Professor Kimball's work, *Insurance and Public Policy*, has received wide wide acclaim in numerous reviews as a most significant contribution in this important area of our society. The two-volume work, *American Enterprise in the European Common Market—A Legal Profile*, with extensive contributions by Professors Wright, Conard and Stein, is a unique and valuable publication.

The list does not include such major products, some commercially published, as the lithoprinted classroom materials by Professors Browder and Wellman, *Family Property Settlements* (2 vols.); lithoprinted materials by Professor Kimball, *Historical Introduction to the Legal System* (500 pp.); Professor Oppenheim's report to the A.B.A. Antitrust Section, *Developments in Antitrust* (180 pp.); the monograph on *Federal Tax Liens* (250 pp.) co-authored by Professor Wright; Professor Kauper's second edition of *Constitutional Law Cases and Materials*; or the teaching materials by Professors Palmer and Wellman, *Cases on Trusts and Succession*. Nor does it include the numerous articles appearing in legal publications. The *Michigan Law Review*, in a special issue, printed the lectures given in the summer of 1960 at the Special Summer School for Lawyers. This symposium on "Post-War Thinking About the Rule of Law" included works by Professors Harvey, Kauper, Bishop, Cooperrider, Estep and Cooper. The lectures were separately bound for wide distribution.

The references above to books published during the year give only a partial picture of the strength of the research program which continues to embrace large areas of the law, carried out by our highly qualified and dedicated staff. Articles and book reviews have appeared in legal journals across the country.

**D. The Faculty's Relation to Other Branches of the University.** The Law Faculty has, in recent years, established substantial relationships with other branches of the University. Associate Dean Russell A. Smith has served as Co-Director of the Institute of Labor and Industrial Relations, and on the executive committee of the Institute for Social Research. Associate Dean Charles W. Joiner has served as chairman of the Executive Committee of the Institute of Continuing Legal Education. Professor Paul Kauper served on the Executive Committee of the Institute of Public Administration, and as Chairman the fall semester. Professor Alfred Conard's research on the Economics of Injury Litigation has been carried out through joint efforts with the Survey Research Center. Professor Frank Cooper served as consultant to

the Institute of Labor and Industrial Relations. Professors J. R. Julin and W. J. Pierce have served on the Executive Committee of the Institute for Continuing Legal Education. Professors Samuel D. Estep, Marcus Plant, Alan N. Polasky, B. J. George, Jr., Alfred F. Conard and L. K. Cooperrider have participated, by lectures, in the instructional programs of the Medical School, the School of Nursing, the Center for Japanese Studies, the School of Business Administration, the School of Education, the College of Engineering, and the School of Public Health. Mr. E. Donald Shapiro, Director of the Institute of Continuing Legal Education, taught a course in the School of Social Work.

Conversely, a number of faculty members from other disciplines have been brought to the Law School to participate in classes and seminars; informal contacts with many departments have been maintained among the members of the faculty; and one joint seminar on Insurance was offered with the faculty of the School of Business Administration.

Members of the Law Faculty have served on the Senate Advisory Committee and many of its subcommittees, the Press Editorial Committee, the Executive Committee of Michigan Memorial Phoenix Project, the Lecture Committee, the Board in Control of Student Publications, the University Committee on Intercultural Relations, the Executive Committee of the Office of Research Administration, the Association of Religious Counselors, the Advisory Committee of the Division of Adult Education, the Audio-Visual Education Committee, the Broadcasting Committee, the Conference Center Committee, the Board in Control of Intercollegiate Athletics, the General Committee of the Division of Social Sciences, the University Subcommittee on Discipline, the Committee on University Responsibility and Freedom, the Advisory Committee for the Center of Conflict Resolution, the ROTC Relations Committee, the Research Committee on Law School Admission Test, the President's Commission on Year-Round Integrated Operations, the Committee on Maintenance of Staff Excellence, the Henry W. Russell Award Committee, the Subcommittee on Faculty Distinguished Achievement Awards, and the Student Government Council Referral Committee, and have advised the Council on Membership.

Professor Eric Stein, W. B. Harvey and Whitmore Gray participated in the faculty seminar on economic development, and Professor Stein in the Faculty Research Seminar conducted by the Center for Conflict Resolution.

Professor J. R. Julin has conducted during the year a series of radio broadcasts, "Law in the News," with University Broadcasting Service, and others of the faculty have participated.

Professors Robert Knauss and S. C. Oppenheim, and Mr. William Berman participated in a conference on the Regulatory Process (sponsored by the Law School, the Institute of Public Administration and Brookings Institute) in June, 1961.

Assistant Dean Roy Proffitt represented the Law School at the annual program for high school and junior college students in Grand Rapids, and participated in the University's Fourth Annual Workshop for Office Personnel.

*E. Other Faculty Activities.* Aside from service within the University community and with professional organizations, referred to later, there are other activities of the Law Faculty which are noteworthy.

Dean Smith has served as a member of two governor's committees—one on preliminary studies for the Constitutional Convention, and one to advise on possible changes in the Judicial Article of the Constitution.

Professor George E. Palmer delivered the Law Forum lectures at Ohio State University on April 4, 5 and 6, 1961. The manuscript on "Mistake and Unjust Enrichment" will be published by that host university.

Professor Paul G. Kauper delivered a series of five lectures at the Special Summer School for Lawyers in June 1961. He dealt with current problems of constitutional law, and the lectures will be published during the next year.

Taken as a whole, the Law Faculty appeared for 136 speeches before professional, civic and alumni groups. The Dean made 21 appearances before various groups, and four members of the faculty had 13 appearances each.

In the American Association of Law Schools, several faculty members served on committees.

Professor John Reed conducted a faculty seminar at the University of Kansas on the role of legal education and its relationship to the university community.

Assistant Dean Roy Proffitt participated in the West Coast Law Seminar (U. S. Navy) in San Francisco, California. He has regularly offered a course in Military Justice for Reserve Officers in the Ann Arbor area.

Professor Alfred Conard was named Secretary of the British-Canadian-American Conference of Law Teachers held in New York in September 1960, and has edited the proceedings for publication here and abroad.

Professor Frank Cooper has served as consultant to the National Conference of Commissioners on Uniform State Laws with respect to the Model State Administrative Procedure Act.

Professor Roger Cunningham has served during the year as consultant to the County and Municipal Law Revision Commission of New Jersey, currently engaged in a complete revision of New Jersey's zoning and land-use control legislation.

Professor W. B. Harvey has represented the Law School on an informal inter-University Committee concerned with the development of legal education in Africa.

Associate Dean Charles Joiner has served as state representative on the Attorney General's Conference on Court Congestion, and as a member of the Advisory Committee on Civil Rules of the Judicial Conference of the United States.

Professor John Reed is serving as Chairman of the Mayor's Advisory Committee on Unemployment in Ann Arbor.

Associate Dean Russell A. Smith has served as a member of the Atomic Energy Labor-Management Relations panel, and participated in hearing and settlement of labor disputes at several atomic energy installations. He has also served as Chairman of an Emergency Board appointed by President Eisenhower in a dispute between the Switchmen's Union of North America and several railroads. He is also a public member and Vice-Chairman of a Presidential Railroad Commission to investigate the basic work rules and pay structure disputes between all Class I line haul railway carriers and the five railway operating brotherhoods.

Dr. Andrew Watson has served as consultant to the State Department of Corrections, to the Washtenaw County Department of Welfare, and as a member of the Board of Trustees of the Michigan Children's Aid Society.

Professor L. Hart Wright served as a member of a three-man "Technical Task Force" appointed by the United States Commissioner of Internal Revenue, working out details which would implement in the Internal Revenue Service the recommendations made in an earlier report by Professor Wright.

### Relations With the Bar

This year marks the first full year of operation of the Institute of Continuing Legal Education with a full-time director. The Institute, sponsored by Wayne State University Law School, the State Bar of Michigan, and the University of Michigan Law School, has been extraordinarily successful. Ten major programs were offered, totaling over 215 hours of instruction, and more than 35,000 lawyer/hours at the Institute meetings. Programs were given at Ann Arbor (3), Saginaw, Kalamazoo, Boyne Mountain, and Wayne County (4). Highest attendance was at the Advocacy Institute in Ann Arbor in February, when more than 800 lawyers spent more than 12,000 hours in the program which covered 14½ hours of instruction. Substantial credit for the success of the program must go to the Director, E. Donald Shapiro, for his imaginative and tireless efforts to obtain high quality lecturers and to produce significant publications for the participants. Institutional cooperation among the sponsoring institutions was excellent, with the Executive Committee operating under the chairmanship of Associate Dean Charles W. Joiner. Moreover, the Sections of the Michigan State Bar have cooperated well with the Institute's instructional program.

Five volumes were prepared and published by the Institute or were specially published for it. Two other volumes were distributed to participants in specialized programs.

Aside from these institutionalized activities, individual members of the faculty have been active in their association with professional organizations.

It has been previously reported that Associate Dean Charles

Joiner headed a Joint Committee on Michigan Procedural Revision of the State Bar, which prepared a complete revision of Michigan's basic procedure code. The bill was passed by the 1961 Legislature, after extensive committee hearings in which Professor Joiner participated. He has also served as Chairman of the Committee on Civil Procedure. In the American Bar Association, Professor Joiner is Chairman of the Special Committee on Uniform Rules of Evidence for Federal Courts, and a member of five other committees.

Professor S. C. Oppenheim served this year as Vice Chairman of the A.B.A. Section on Antitrust Law, and will serve as its Chairman next year. He continues as a member of the House of Delegates, and has addressed four professional groups in Washington, D. C. and in Michigan during the year.

Professor William W. Bishop, Jr. served as Vice-President of the American Society of International Law, as co-editor of the *American Journal of International Law*, and has been a member of committees in the American Bar Association, the Michigan State Bar Association, and the American Law Institute.

Mr. Robert A. Choate has served on the Committee on Trademarks of the Michigan Patent Law Association, and was elected a second vice-president for 1961-62.

Professor Alfred F. Conard continued service on the committee on simplification of security transfers in the Real Property, Probate and Trust Section of the A.B.A.

Professor Frank Cooper served as a member of the Council of the Administrative Law Section, a member of the Committee on the Federal Administrative Practice Act, and a member of committees in the Labor Law Section of the A.B.A. He has also served on three committees of the Michigan Bar Association.

Professor Samuel D. Estep was chairman of the State Bar Committee on Atomic Energy and a member of the Committee on Constitutional Law.

Professor B. J. George, Jr. served as a member of the State Bar Committee on Crime Prevention Center.

Professor J. R. Julin is chairman of the Committee on Significant Recent Decisions in the Real Property Section of the A.B.A., and co-editor of the Section newsletter.

Professor Paul Kauper served actively on the State Bar Committee on Condemnation Procedures, helping to prepare several interim studies and the annual report.

Professor Robert Knauss has served as a member of the Antitrust Committee of the California Bar, and participated in the Michigan Bar Section on Antitrust Law.

Professor William J. Pierce has served the State Bar Association as Chairman of the Constitutional Law Committee, Chairman of the Coordinating Committee for the Constitutional Convention, editor of the newsletter of the Probate and Trust Section, and as a member of the Subcommittee on Proposed Constitutional Revision (Appellate Organization). He is also Chairman of the American Statutory Law Committee of the American Bar Foundation, a member of the Executive Committee of the National Conference of Commissioners on Uniform State Laws, and active on eight subcommittees of the Conference.

Professor Marcus L. Plant has served this year as Chairman of the Negligence Section of the State Bar. This Section of more than 1,000 members is extremely active and has carried out a substantial educational program. He has also been active on the Medicolegal Committee of the State Bar, concerned with inter-professional relationships between doctors and lawyers.

Professor Alan N. Polasky is a member of the Council of the Section on Real Property Probate and Trust Law of the A.B.A., co-editor of the Section newsletter, and active on two section committees. He has also served as Editorial Reviewer of the *Journal of Accounting* (published by the American Institute of Certified Public Accountants) and a member of the State Tax Committee of the Michigan Society of Certified Public Accountants.

Associate Dean Russell A. Smith has served on the Executive Council of the Labor Relations Law Section of the State Bar.

Dean Allan F. Smith has been a member of the Real Property Committee, the Title Standards Committee, and the Committee on Legal Education of the Michigan State Bar Association. He has also participated in the work of the American Law Institute and the American Bar Association.

Professor Eric Stein has served as a member of the A.B.A. Committee on Constitutional Structure, the A.B.A. Committee on International Control of Atomic Energy, and the Committee on the U. N. Charter of the International Law Association. He is the Law School's representative on the Board of Directors of the American Society for the Study of Comparative Law. He is also a member of the Board of Editors of both the *American Journal of Comparative Law* and the *Journal on Conflict Resolution*.

Professor Roy L. Steinheimer has served as Chairman of the Special Committee of the State Bar on the Uniform Commercial Code. He is also a member of the Michigan Bankers Association Committee on the Uniform Commercial Code.

Dr. Andrew Watson has served on the Committee on Law of the American Psychiatric Association and as Chairman of the Law Committee of the Group for the Advancement of Psychiatry.

Professor L. Hart Wright served as a member of the Tax Council of the Michigan State Bar Association and of the A.B.A. Tax Section Committee on Administrative Procedures for the Internal Revenue Service. He is now a member of the Advisory Committee of the Commissioner of Internal Revenue.

### The Curriculum

The basic curriculum has not been changed during the year, although authorization by the faculty permitted offering this year a seminar in Soviet Law, a course in European Trade and Investment, a joint seminar on Insurance Law with Professor Mayerson of the School of Business Administration, and a special expanded course in Taxation. The faculty has imposed one significant additional requirement for graduation, effective for the class entering in 1960—that each student must take at least one elective seminar as a part of his program.

A start has been made during the year on a thorough review of the total Law School curriculum. Under the supervision of the Dean and the Curriculum Committee, the study embraces a re-examination of course content and the relationship between cognate courses, examination of teaching methods and materials for the three-year program, examination of the extent to which professional responsibility is taught in connection with substantive courses, the extent to which legal skills are systematically developed in the three-year program, the seminar program, and the practical availability of areas of concentration for students who have particular interests.

### International Legal Studies

A continued expansion of the program in international and comparative law can be expected. During the year, a considerable amount of time was devoted to planning a five-year program of research which will embrace comparative work in Japanese law, in Communist law (both Soviet and Chinese), in Constitutional Law, Taxation, Business Associations, and Insurance, as well as work in the law of international organizations, and the developing nations of Africa. Support for the program is being sought from the Ford Foundation in connection with the University's request for support of area studies and international studies. Tentative staff approval has been given.

Reference has already been made to the publication during the year of the two-volume work on *American Enterprise in the European Common Market*, co-authored by scholars here and abroad. During the year, also, Dr. Kazimierz Grzybowski has been in residence as Sunderland Senior Research Fellow, and has substantially completed the manuscript for a book on the impact of Soviet jurisprudence on European nations.

On the instructional side, we have this year offered for the first time a seminar in Soviet Law, and a course in the legal problems of foreign investment.

One distressing aspect of this program is the absence of significant work in relation to Latin American law. With the retirement of Professor Yntema, we do not have a member of the faculty whose interests and qualifications extend to this important area of comparative law. Since our library resources in the field are excellent, we hope to find a suitable person to add to the staff.

### Alumni Relations

Under the direction of Associate Dean Joiner, the Law School has maintained excellent relations with its alumni. Representatives of the faculty met with twenty alumni groups during the year at

Los Angeles (2), San Francisco (2), Washington, D. C. (2), French Lick, Indianapolis, Chicago, St. Louis (2), Des Moines, Wichita, Monroe, Kansas City, New York, Philadelphia, Dayton, Pittsburgh and Milwaukee. *Law Quadrangle Notes*, published quarterly, reported to all alumni the activities of the School.

The most important development during the year, however, has been the completion of plans for an expanded program with the alumni to insure maximum cooperation in placement, in admission work, and in securing financial support. After consultation with a representative group of alumni, with representatives of the Development Council, and with representatives of the Alumni Association, a plan was formulated to establish a Law School Alumni Fund, to be operated under the Development Council and in cooperation with the Alumni Association. This plan was laid before the Executive Committee of the Development Council, and finally before the Board of Directors of the Development Council. The latter body approved the charter, and the first presentation to alumni will be made during the next year. Mr. Herbert E. Wilson, LL.B. '23, of Indianapolis, Indiana, has agreed to serve as national chairman for the Fund.

### Books Published by the University of Michigan Law School

- Stein, Eric and Nicholson, Thomas L., editors, *American Enterprise in the European Common Market: A Legal Profile*, with contributions by Alfred F. Conard, Peter Hay, F. C. Jeantet, Otto Kahn-Freund, S. P. Ladas, Thomas L. Nicholson, Marc Quin, S. A. Riesenfeld, Eric Stein, J. Van Hoorn, Jr. and L. Hart Wright, 2 vols., pp. xxiv, 510, xxiv, 732.
- Kimball, Spencer L., *Insurance and Public Policy*, University of Wisconsin Press, pp. xii, 387.
- Berman, William H. and Hydeman, Lee M., *The Atomic Energy Commission and Regulating Nuclear Facilities*, paper, pp. xvi, 336.
- *Frontiers in Law and Legal Education*. Addresses given at the Centennial of the Law School, paper, pp. vii, 125.
- Simes, Lewis M., *A Handbook for More Efficient Conveyancing*, pp. xii, 98.
- Macdonald, W. D., *Fraud on the Widow's Share*, pp. xviii, 495.

Mention should also be made of the work of the Law School Placement Office. More than half of the seniors registered with the office were placed before June 10, and assistance was given to nearly 200 former graduates who were seeking a change of professional employment. Nearly 800 interviews were arranged for 85 employer representatives who came to the Law School.

### The Special Summer School for Lawyers

The Second Special Summer School for Lawyers, under the direction of Professor J. R. Julin, was held from June 19–30, 1961. Registration was 25 per cent higher than the preceding summer, with courses offered in Admiralty, Business Tax Planning, Estate Planning, Robinson-Patman Act—Price and Service Discriminations, and Wills and Trusts. Special lectures on Constitutional Law were given by Professor Paul G. Kauper.

Negotiations have begun with Harvard and Stanford Law Schools to determine whether a joint program for the three schools can be effectively arranged.

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(continued on page 8)

# The University of Michigan Law School Fund

## Charter of Organization

### ARTICLE I

#### Name, Purpose and Objectives

1. *Name:* The name of this organization shall be "The University of Michigan Law School Fund."
2. *Purpose:* The Law School Fund is organized to promote gifts from alumni and friends of the University of Michigan Law School which will help build the School's general resources and support special activities.
3. *Objectives:*
  - (a) To stimulate interest of alumni and friends of the Law School in its development and needs.
  - (b) To establish and develop the Law School's annual giving program.
  - (c) To coordinate other fund-raising programs, such as Class Funds, of the School.
  - (d) To cooperate with the Lawyers Club, the Alumni Association of The University of Michigan, and The University of Michigan Alumni Fund.

### ARTICLE II

#### Authority

1. *The University:* The Law School Fund is created at the request of the Law School and is endorsed by the President and other administrative officers of the University.
2. *The Development Council:* The Law School Fund shall be under the sponsorship and general supervision of the Development Council of The University of Michigan, an organization created by Act of the Board of Regents on May 23, 1952.
3. *Operating Authority:* The operating authority for the Law School Fund shall be vested in a National Committee, as hereinafter provided.

### ARTICLE III

#### National Committee

The National Committee of the Law School Fund shall consist of the following:

1. *Representation:* Eight members shall be named by virtue of their office as follows: The Dean of the Law School, two members of the faculty of the Law School appointed by the Dean, a representative of the Alumni Fund Board, designated by its Chairman, the President and Secretary of the Lawyers Club Board of Governors, a representative of the Alumni Association designated by its President, and a representative of the Development Council designated by its Chairman. In addition, the Committee shall have two undergraduate student members to be nominated by the Student Lawyers Club Council, a representative from each of the regional area organizations created by the National Committee, the class agents from classes celebrating their 5th, 10th, 25th and 50th anniversaries, and up to twenty-four members-at-large.
2. *Manner of Selection:* Committee members not selected by virtue of their office shall be named by the Dean of the Law School upon recommendation of a nominating committee comprised of members of the National Committee.
3. *Tenure:* Members-at-large of the National Committee shall serve for a term of three years and may succeed themselves for one additional term. Eight of the first group of appointees shall be selected by lot for one-year terms, eight for two-year terms, and eight for three-year terms. Student members shall be appointed to serve staggered two-year terms, and may not succeed themselves. Each regional representative shall serve for a single three-year term, and the class agent representatives shall serve for a period of two years, on years prior to and during the occasion of their 5th, 10th, 25th, and 50th class anniversary. Ex-officio members shall serve for their term of office.
4. *Functions and Powers:* The functions and powers of the National Committee shall be as follows:
  - (a) To establish a continuous annual-giving program for the use of the Law School within the boundaries established by the Dean and the faculty of the Law School.
  - (b) To encourage regular voluntary contributions to the Law School from alumni and friends, and to aid, assist, and coordinate Class Fund programs.
  - (c) To recommend to the Law School needs of the School which it sees and which it believes can be met through gifts, grants, or bequests, and upon approval to attempt to receive necessary funds.
  - (d) To determine the methods of fund solicitation and publicity and to maintain the active interest of alumni and the public in the giving program.
  - (e) To cooperate with the Lawyers Club of the Law School to the end that contributions to the Law School Fund may be appropriately recognized by the Lawyers Club.
  - (f) To elect and appoint officers and committees for the proper accomplishment of the Law School Fund program.
  - (g) To coordinate its activity with those of the Development Council of the University of Michigan.
  - (h) To report annually to the Board of Directors of the Development Council, or oftener if said Board shall request, concerning the activities and programs of the Law School Fund.
5. *Officers:* Officers of the National Committee shall consist of:

(a) *National Chairman*—to be initially appointed by the Dean of the Law School for a one-year term and thereafter elected by the Committee from its membership for a one-year term.

(b) *National Vice-Chairman*—to be named by the Chairman from among the alumni members. He shall perform the duties of the Chairman in his absence or inability to serve.

(c) *Scholarship Vice-Chairman*—to be named by the Chairman from among the alumni members. He shall be empowered to conduct a special solicitation program for which gifts for scholarship purposes at the Law School are sought.

(d) *Class Agent Vice-Chairman*—to be named by the Chairman from among the alumni members. He shall be empowered to appoint and maintain an organization of class agents of the Law School which will solicit gifts for the Law School Fund on a class-wide basis.

(e) *Secretary*—to be designated by the National Committee.

(f) *Fund Director*—to be an employee of the University on the staff of the Development Council designated as "Fund Director of the Michigan Law School Fund."

6. *Meetings:* The National Committee shall meet at least annually at a time set by the Executive Committee. Special meetings may be called by the Chairman. Those present, including proxies, shall constitute a quorum.

### ARTICLE IV

#### Executive Committee

1. *Definition:* The administrative advisory group designated to discuss and execute matters of policy and operations relative to the Fund procedures shall be known as the Executive Committee.

2. *Functions and Powers:* The functions and powers of the Executive Committee shall be as follows:

(a) To exercise the powers of the National Committee between meetings, such action to be reported to the Committee.

(b) To receive from the Fund staff special reports on progress of the program and to report such information to the National Committee as the Committee may require.

(c) To act as an advisory group on matters of policy and procedures and to make recommendations on policy decisions to the National Committee.

(d) To advise and counsel the Fund staff on special problems that may arise in connection with the program.

3. *Membership:* The Executive Committee shall consist of the following members of the National Committee: Chairman, Vice-Chairman, a member of the Law School faculty designated by the Dean, the President of the Lawyers Club or a person designated by him, Director of the Law School Fund, and Chairman of all subcommittees.

4. *Tenure:* Ex-officio members shall serve for the term of their office. All others shall serve for the duration of their respective appointments.

5. *Officers:* Officers of the Executive Committee shall consist of a Chairman, Vice-Chairman, and Secretary.

(a) The Chairman of the National Committee shall act as Chairman of the Executive Committee.

(b) The National Vice-Chairman of the National Committee shall act as Vice-Chairman of the Executive Committee.

(c) The Director of the Fund or his designated representative shall be the Secretary of the Executive Committee.

(d) *Meetings*—The Executive Committee shall meet at the direction of the Chairman.

### ARTICLE V

1. *Solicitations:* The National Committee shall establish and develop The University of Michigan Law School annual giving program and shall review and approve plans of solicitation proposed by its subcommittees. Funds may be solicited only for Law School purposes.

2. *Contributions:* All contributions to The University of Michigan Law School Fund from whatever source shall belong to The Regents of The University of Michigan.

3. *Depositing Contributions:* All contributions realized from Law School Fund activities shall be deposited in the appropriate University accounts as designated by the University's office of the Vice-President in charge of Business and Finance.

4. *Budget Procedures:* Budget procedures for the Law School Fund shall follow regular University channels.

### ARTICLE VI

#### Amendments

Amendments to this Charter of the Law School Fund may be enacted by the National Committee at any stated meeting provided the substance of the proposed amendment is stated in the notice of the meeting. A two-thirds vote of the members of the National Committee in attendance shall be necessary to pass an amendment. Amendments so passed shall become effective only after approval by the University Administration, the Law School, and the Board of Directors of the Development Council. After approval by the University Administration, amendments may also be enacted by a two-third vote of the Board of Directors of the Development Council present at a meeting for which notice of the substance of the amendment has been given.

## Dean Outlines Needs—

(continued from page 2)

be met. Each year the Law School invites the honored students of the school to a dinner on Law School Honors Day. The young men and women who produce the *Law Review*, who win the Campbell Competition, who are elected to the Order of the Coif, who compete for and win other prizes and awards, are, we think, entitled to recognition—a public recognition of a job well done. It is perhaps not appropriate to spend tax dollars for this purpose, but we think our alumni would like to see it done. Again, there is a national moot court competition to which we'd like to send our best men. We can hardly ask them to pay their own way. Or, a visiting delegation from abroad arrives to meet at lunch with members of our faculty for exchange of professional information. The check is not large, but they can cumulate in the course of a year. Funds for such purposes have always come from our alumni, and we would propose to use some of your gifts in this way.

## 6. Visiting Professorships

We have a splendid faculty, with 37 full-time teachers, in addition to four instructors and four part-time specialty teachers. Our curriculum is rich in content. We have to confess, however, that we do not have a complete monopoly on all the excellence that exists in the United States and abroad. Our School and our students would benefit greatly if we could bring to Ann Arbor, with some regularity, prominent and skilled teachers from other schools who could provide instruction in their fields of specialization for a semester or a year. Our state funds for instructional support permit us to do this on occasion, but added funds, consistent with the national stature of the School, could be used with great profit.

These are some of the needs which the Law School has. They may, in part, represent "extras," but we think they are the kind of extras that spell quality—that distinguish the superlative educational institution from the merely adequate. We think you will want your school to provide them, and we pledge ourselves to use your gifts as wisely as we can, not as a substitute for state support, but as a supplement which will continue the partnership of the past and produce the leaders of the future.

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(continued from page 6)

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