U-M Television

Legal Series

Wins ABA Honors

"A Quest for Certainty," the 20-program television series hosted by Professor Joseph R. Julin, has been awarded the American Bar Association Gavel Award for outstanding public service.

The series, which featured the contributions of 21 members of the Law School faculty, examines the nature and values of the American legal system. It was produced by the U-M Television Center.

The series had been carried on thirty-two television stations—from KOMO-TV Seattle to WTIC-TV Hartford, Connecticut; and from WAPI-TV Birmingham, Alabama, to WWUP-TV Sault Sainte Marie—by July 1. Other stations across the country will be added to this number in coming months.

"A Quest for Certainty" has received praise not only from the legal profession, but from laymen, for whom it is designed. It covers a broad range of topics, beginning with the operation of the legal system and the roles of the lawyer, judge, and jury and working through to more specific topics. These include wills and estates, partnership, international law and others.

It was during the Hartford, Connecticut, appearance of the series that the programs brought a note of congratulations and interest from actor E. G. Marshall, star of the television series "The Defenders."

Plautus Productions, producer of that series, also is a winner of a 1964 Gavel for the program "Blacklist." The third award was presented to the CBS News Division for the "CBS Reports" documentary "The Crisis of Presidential Succession."

The award to the University is the second in the seven-year history of the Gavel Awards. The 1961 award was presented for the series "Blessings of Liberty" dramatizing Constitutional rights, also featuring Law School faculty.

"A Quest for Certainty," through special films, photographs, recordings, and illustrative sequences, as well as through the comments of Professor Julin and his guests, offers an approach to understanding the law as a living institution. It is an attempt to help the viewer relate law to his everyday life.

The series begins with the program "The Power to Judge." In it Professor Julin; Charles W. Joiner, associate dean of the Law School; and Federal District Court Judge Talbot Smith examine the nature of the judicial process and the role of the judge in the process.

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Program two, "The Adversaries," covers the duties of the lawyer, in and out of the courtroom, and the effect of lawyers on the judicial system. Professors Luke Cooperider and Francis A. Allen, who is now at the University of Chicago, are guests. They also participate in the third program, which carries the topic further and illustrates the processing of a case in the courts through a dramatization of an actual murder case.


Faculty members participating, in addition to those mentioned above, are: W. W. Bishop, Alfred Conard, Samuel Estep, Whitmore Gray, Jerold Israel, Sanford Kadish, Paul Kauper, Frank Kennedy, Robert Knauss, William Pierce, Marcus Plant, Alan Polasky, John Reed, Allan Smith, Roy Steinheimer, Andrew Watson, and Richard Wellman.

Guests on "A Quest for Certainty" included George Edwards, former Justice of the Michigan Supreme Court and Commissioner of Police in Detroit, now Federal District Judge; Orlando W. Wilson, Superintendent of Police in Chicago and former Dean of the School of Criminology at the University of California; and Otto Ulc, former District Judge in a Czechoslovakian Communist Court of Law.

The Gavel was presented on August 13 at the Waldorf Astoria Hotel in New York, one of the major events of the American Bar Association's 87th Annual Meeting.

"Quest for Certainty" was produced in the U-M Television Center studio on campus. It was directed by G. Marshall Franke and produced by Lee M. Woodruff, Jr., both of the TV Center staff. The Center prepares programs on video tape and kinescope for distribution to educational and commercial stations throughout the country.

The Viewers' Response

"Just a word of respect for the specially effective job done yesterday by two skilled speakers and teachers (Professors Estep and Julin). I have watched and listened each Sunday and felt that this was the best yet of the series (Law and the Legislator). It was done so that the layman as well as the lawyer might easily get each point, and that is real service to the public by the Law School."

The Hon. Eugene R. Black
Supreme Court of Michigan

"Yours is one of the few shows broadcast today that explains for the layman the workings of the law."

E. G. Marshall, actor
"The Defenders"

"Recently on TV, I saw a program sponsored by the U of M and entitled 'Law and the Man of Property,' I consider it an excellent production."

Viewer
Bloomfield, N.J.

"I was thrilled—and frankly, a bit surprised—to discover that the basic concepts of the Rule of Law philosophy can be put in terms intelligible to any alert layman. More than that, the program was entertaining as well as educational."

Lawyer
Ann Arbor
In Memoriam

Ralph W. Aigler, professor emeritus of law, died May 24 at Tucson, Arizona. He was 79.

Professor Aigler was a 1907 graduate of the Law School and had been a member of the faculty since 1910. He was a recognized authority on property law and a past president of the Association of American Law Schools.

A tribute to Professor Aigler, who since his retirement had been teaching at the University of Arizona Law School, will appear in the November issue of the Michigan Law Review.

Law School Receives Gift
For H. L. Harley Fellowship

The Law School was presented with a $1,000 gift to establish the Herbert Lincoln Harley Fellowship in Judicial Administration at the golden anniversary dinner of the American Judicature Society.

The meeting, held at the Michigan Union, was addressed by society president the Honorable Sterry R. Waterman, who paid tribute to the late Mr. Harley, founder of the Society and an 1892 alumnus of the Law School.

In addition to Mr. Harley, two other late leaders of the society were honored—George E. Brand, a past president, and Edson R. Sunderland. They also were graduates of the U-M Law School.

Judge Waterman, who is judge of the U.S. Court of Appeals for the Second Circuit, noted that the American Judicature Society had been conceived in Michigan. For a 23-year period, from 1931 to 1954, the society had its offices at Hutchins Hall in the Law Quadrangle.

The golden anniversary dinner was co-sponsored by the State Bar of Michigan, the Michigan directors of the American Judicature Society, the Washtenaw County Bar Association, and the Law School. Charles W. Joiner, associate dean, was general chairman.

John Reed Named Dean
Of Colorado Law School

Professor John W. Reed, a member of the faculty since 1949, has been named dean of the School of Law at the University of Colorado.

He will assume his new duties on September 1. Professor Reed had served as visiting professor at Yale University during the past academic year.

Dean Allan F. Smith, commenting on the appointment, said, "We are very sorry to lose the services of such an excellent teacher as John Reed. We wish him well in his new capacity where we know he will do an outstanding job."

Kahn, Kauper, and White
Join Law School Faculty

Three new faculty members have been appointed for the fall term by the Regents of the University.

They are Douglas A. Kahn, Thomas E. Kauper, and James J. White. All have been appointed assistant professors of law, beginning August 27.

Mr. Kahn holds a bachelor of arts degree from the University of North Carolina and the J.D. degree from George Washington University Law School, where he was first in his class. He is now with the law firm of Sachs and Jacobs, Washington, D.C.

Mr. Kauper received his A.B. degree with high distinction from The University of Michigan, with an all-A record except for a single B. He had been valedictorian of his class at Ann Arbor High School. He received the J.D. degree from the Law School, ranking first in his class. For two years following his graduation he served as law clerk for the Hon. Potter Stewart, associate justice of the Supreme Court of the United States. He is now associated with the Chicago law firm of Sidley, Austin, Burgess and Smith. Mr. Kauper is the son of Paul G. Kauper, professor of law.

Mr. White holds his A.B. degree from Amherst College and his J.D. degree from Michigan. He also graduated first in his class. He is now with the firm of Latham and Watkins of Los Angeles.

Eleven visiting faculty have also been named for the academic year beginning in August. They are:

Paul D. Carrington, visiting associate professor, for the winter term. He is an associate professor of law at The Ohio State University.

Harold A. J. Ford, visiting professor of law for the academic year. He holds LL.B. and LL.M. degrees from the University of Melbourne, Australia, and his S.J.D. degree from Harvard. He is professor of commercial law at the University of Melbourne.

Jack H. Friedenthal, visiting associate professor of law for the winter term. He is presently teaching at Stanford University School of Law.

Jacques Heenen, visiting professor of law from September 1 to October 30. He is now a professor at Brussels University, Belgium.

John H. Jackson, visiting associate professor of law, beginning with the Summer Session, 1964. He has been on the faculty at the University of California at Berkeley since 1961.

Ernest Mestmaecker, visiting professor for the fall term, He is on the faculty of the Institute of Commerce and Economic Law at the University of Munster.

Elmer Million, visiting professor for the academic year. He is professor of law at the New York University Law School.

William H. Painter, visiting professor of law for the winter term. He teaches at the Villanova University School of Law.

Knud Waaben, visiting professor of law effective with the fall term. He holds bachelor and doctoral degrees in law from the University of Copenhagen, where he teaches.

Russell Weintraub, visiting professor of law for the winter term. He is on the faculty of the University of Iowa College of Law.
Dean's Report to the President
Notes Changes in Curriculum and Faculty

The year 1963–64 in the Law School was marked by some curriculum changes, some personnel changes, and by substantial professional activity by the law faculty.

The Curriculum

Several curricular matters should be noted. First, the faculty determined that, effective with the class entering in 1964, minimum proficiency in accounting would be made a prerequisite for taking courses in Taxation and in Corporations. Arrangements have been made within the School to provide instruction to those students whose undergraduate training did not include accounting study. Second, a new course was added—The Law and Institutions of the Atlantic Community—to supplement the standard course in International Law and the several seminars already offered. Third, new courses in Investment Securities, in Race Relations Law, and in Regulated Industries were authorized. Fourth, the required course in Problems and Research was modified to strengthen the legal writing experience of the law students. Fifth, the Curriculum Committee completed a study of the entire first year curriculum and has recommended significant changes, which will be submitted to the faculty this fall.

Personnel

With deep regret, I report the death of Professor Emeritus Ralph W. Aigler. Professor Aigler served the Michigan Law School from 1910 until his retirement in 1954, and had continued to teach at Hastings College of Law and at the University of Arizona.

Three new faculty appointments, effective in the fall of 1964, were made during the year. Thomas E. Kauper, James J. White, and Douglas A. Kahn will join the staff as assistant professors. The first two are graduates of Michigan Law School while Mr. Kahn took his legal training at George Washington University.

Two resignations were received with great regret. Professor John W. Reed will leave to become dean of the Law School at the University of Colorado. Professor Sanford Kadish will join the faculty of the University of California at Berkeley.

Professor Spencer K. Kimball was on leave during the year pursuing study and research in Germany and Associate Professor Whitmore Gray was on leave during the second term for research on Communist Law in Hong Kong. Professor John W. Reed was on leave to teach at Yale University Law School. Professor William B. Harvey was on leave to serve as dean of the Law School in Ghana. Professors S. C. Oppenheim and Samuel D. Estep were on research leave during the second term.

The Law School enjoyed the services of six visiting professors during the year. Professors John Cribbet of the University of Illinois and Herman Trautman of Vanderbilt University, were in residence for the full year. Professor John P. Dawson of Harvard Law School served the first term, while Professors Morris Shanker of Western Reserve University, George B. Fraser of the University of Oklahoma, and Mark S. Massel, of Brookings Institution, Washington, D.C., were in residence during the second term. Messrs. Leon Goodrich, Hartin Payson, Paul Rothstein, J. Neville Turner, and Michael Nussbaum served as instructors during the year.

My previous reports have requested the creation of procedures whereby commitments for new personnel can be made a number of years in advance to permit orderly acquisition of new personnel. This is still a highly desirable step as we face expansion of faculty size.

The Student Body

Enrollment for the fall of 1963 was approximately equal to that of 1962, and the quality of the entering class continued to rise, measured by undergraduate academic performance and score on the Law School Admission Test. Applications for admission in 1964 increased by nineteen per cent over the preceding year and it was necessary to close applications at an earlier date than in previous years. We anticipate announcing an even earlier closing date in 1965 to insure maximum selectivity.

The entering class came from thirty-seven states, territories, and countries, representing 112 undergraduate colleges. Michigan undergraduate schools furnished 132 members of the freshman class.

We anticipate continued pressure on enrollment as undergraduate classes increase throughout the country. Growth potential is limited by physical facilities and by staff size, and growth will be controlled to insure the maintenance of high quality instruction.

The Research Program

A full report of the research activities of the Law School is separately prepared, but it is appropriate here to note that the year has been an active one. A broad range of subject matter has been covered by the articles written by the staff, and several books have been published. A definitive historical work (Brown: British Statutes in American Law 1776–1836), two volumes of a procedure treatise (Honigman and Hawkins, Michigan Court Rules Annotated), a new developmental casebook (Stein and Hay, Cases and Materials on the Law and Institutions of the Atlantic Area), and a five-volume reference work on the Uniform Commercial Code (Steinheimer, Desk Reference to the Uniform Commercial Code) were all published by staff during the year. Reference should also be made to the completion of an important study by Professor Alfred F. Conard on the Economics of Injury Litigation. Manuscript has gone to the printer for fall publication. Further, Professor Paul G. Kauper delivered the Edward Douglass White Lectures at Louisiana State University, and the volume on “Religion and the Constitutional Order” is scheduled for publication this fall.

External Affairs

The impact of the Law School continues to extend into the affairs of the state and nation. Three staff members (Professors Wright, Polasky and Cooper) head research pro-
Case Clubs Ask Aid
In Finding Trial Records

In an attempt to escape from the artificiality created by summary hypothetical cases set in mythical courts of first impression, the Case Clubs have begun to use actual cases.

From this innovation has come a problem for the case club program, in which over 90 per cent of the freshman class participates.

Some records of trial court proceedings (often called abstract on appeal, record on appeal, stipulated transcript, appendix, etc.) consisting of at least the complaint, answer, and the testimony relevant to the appeal, have been obtained. But more are needed.

“We are searching courthouses and pestering clerks for many more of these records, but we are having difficulty finding enough suitable cases,” reports Case Clubs president Terrence L. Croft.

Needed are cases with at least two strong issues to argue, involving questions falling roughly in the areas of freshman law student experience—property, torts, contracts, and criminal law.

To date the cost of duplicating has prevented use of a case unless at least five copies of the record were available but there is hope that this problem will soon be solved. The clubs can use up to 15 copies of a record, however. A copy of the attorneys' briefs also is helpful.

The Case Clubs ask the help of alumni and friends of the
Faculty News Notes

Publications


Alfred F. Conrad—“How European Businesses are Organized,” 19 Business Lawyer 135 (November 1963); and “Problemas Financieros de las Empresas de Negocios—el de Extraer el Dinero,” in Chomme et al., El Derecho de los Estados Unidos, translated into Spanish by le Riverend et al. 1963, Coral Gables.


Professional Activities

William W. Bishop, Jr.—Participated in a two-day discussion session at the Department of State, he is a member of the Advisory Committee on Foreign Relations; presided, as editor in chief of the American Journal of International Law, over the annual meeting of the Board of Editors in April; participated in the Cornell Conference on International Law and the American Society of International Law Conference on the Teaching of International Law, both at Ithaca, N.Y., in June and, at the latter, gave an introductory talk on “The First Court in International Law,” and spoke on “Some Comments on World Peace Through Law,” in Detroit in May to the Michigan members of the World Peace Through Law Institute.

Roger C. Cramton—Delivered a paper on “The Effects of Telephone Regulation,” to a faculty seminar at the University of Chicago, May 1; and attended a conference in New York sponsored by the Standard Oil Company of New Jersey, June 9–11.

Roger A. Cunningham—Delivered a paper and participated as a panel member in a symposium on “Zoning Variances and Exceptions: The Role of the Board of Adjustment” sponsored by the Rutgers Law School Alumni Association at Newark, N.J., May 23.

Carl S. Hawkins—Lectured at Institute for Continuing Legal Education sessions on Federal Practice and Procedure at Kalamazoo, Delta College, and Detroit; and continues as reporter for the Michigan Supreme Court Committee on Standard Jury Instructions.

Joseph R. Julin—Lectured at the 4th annual Probate Seminar at Detroit, June 19, on “Drafting and Construction Traps.”

Charles W. Joiner—Attended a meeting of the ABA Standing Committee on Professional Ethics in May, the Advisory Committee of the American Bar Foundation on the Federal Tax Procedure Project in July; and the American Law Students meeting and the Sixth Circuit Judicial Conference in May.

Frank R. Kennedy—Was reappointed reporter to the Advisory Committee on Bankruptcy Rules for the Judicial Conference of the United States and appointed to the ABA subcommittee on Secured Transactions of the Committee on the Uniform Commercial Code; and attended the meeting of the 1964 nominating committee of the American Association of University Professors in Washington, May 8.

S. Chesterfield Oppenheim—participated in the Public Conference of the Patent, Trademark, and Copyright Institute of George Washington University, June 17–18.

William J. Pierce—Is a member of the Governor’s Study Commission on Water Rights and of the Governor’s Study Commission on Traffic Safety; and is a consultant for the American Law Students meeting and the Sixth Circuit Judicial Conference in May.

Frank R. Kennedy—Was reappointed reporter to the Advisory Committee on Bankruptcy Rules for the Judicial Conference of the United States and appointed to the ABA subcommittee on Secured Transactions of the Committee on the Uniform Commercial Code; and attended the meeting of the 1964 nominating committee of the American Association of University Professors in Washington, May 8.

William J. Pierce—Is a member of the Governor’s Study Commission on Water Rights and of the Governor’s Study Commission on Traffic Safety; and is a consultant for the Michigan House of Representatives Committee on Constitutional Implementation.

Marcus L. Plant—Addressed the Medical Technicians Society of Southeastern Michigan at Kalamazoo on “Legal Liabilities of Hospitals and Hospital Employees,” June 18.

Alan N. Polasky—Attended a meeting of consultants of the ALI Federal Gift and Estate Tax Project at Hot Springs,
Virginia, June; addressed the Pennsylvania State Bar Association at Erie, June 25, on “Impact of Revenue Procedure 61–19 on Planning for the Federal Estate Tax Marital Declaration;” served on a panel with Joseph Trachtenberg of New York and Paul Sargent of Boston at the Illinois Bar Association’s annual workshop at Urbana in April; and participated in the fourth annual Probate Seminar, “Current Developments in Estate Planning,” at Boyne Falls and the second at Detroit.

Roy F. Proffitt—Attended the National Conference on Bail and Criminal Justice in Washington, May 27–29; and has been appointed to the Governor’s Study Commission on Traffic Safety, serving on the subcommittee on enforcement.


Eric Stein—Attended the annual meeting of the American Association for the Comparative Study of Law, the annual meeting of the American Foreign Law Association, and the annual meeting of the editorial board of the American Journal of Comparative Law in New York in April; attended the meeting of the board of editors of the American Journal of International Law and the annual meeting of the American Society of International Law at Washington, April 23–25; and spoke at the Conference on the Teaching of International Law at Cornell University and at the British Institute of International and Comparative Law Conference, Ditchley Park, Enstone, England.

Roy L. Steinheimer, Jr.—Lectured on the Uniform Commercial Code to representatives of Michigan banks at Lansing, Escanaba, and Boyne Mountain; to Upper Peninsula Lawyers at Escanaba and Iron Mountain; and to the Michigan Land Title Association at Shanty Creek; and held seminars for representatives of Indiana banks at Indianapolis and for Montana Lawyers at Great Falls; and moderated a panel on airport operation at a meeting of the National Lawyer Pilots Association at Harbor Springs.

Andrew S. Watson—is chairman of the Task Force on Mental Health Statutes, Department of Mental Health, State of Michigan.

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Publications—
(continued from page 6)


Frank R. Kennedy—“The Imputed Negotiability of Security Interests Under the Code,” (with Antonio R. Bautista) 38 Ind. Law Journal 574–602 (1963); and Chapter 10 in


Roy L. Steinheimer, Jr.—Desk Reference to the Uniform Commercial Code, Institute for Continuing Legal Education.


Law School Fund
Begins September 1

The Law School Fund 1964 Campaign will begin September 1 with an organization that promises to be the largest and most successful in the four-year history of the Fund. Miss Betty Ostrander, supervisor of the fund campaign, and faculty adviser Assistant Dean Roy Proffitt report contributions made before the opening of the campaign already are ahead of last year's mark.

The 1963 campaign raised $128,170.36, an increase of 46.3 percent over the previous year.

Professor Proffitt is assisting the fund drive as faculty adviser in place of Associate Dean Charles W. Joiner, who has advised previous campaigns. Professor Joiner is serving as chairman of the University's Sesquicentennial Committee.

The 1964 Law School Fund will incorporate a new student loan fund in memory of the late Ralph W. Aigler, who spent all but ten years of a fifty-four year teaching career on the faculty of the law school.

The Ralph W. Aigler Memorial Loan Fund, already established by faculty contributions, is planned so that none of the highly qualified students in the Law School will be forced to delay or discontinue an academic career because of lack of funds. Repayment of the loans will help establish a revolving fund.

Contributions to the 1964 campaign can be earmarked in whole or part for the new loan fund.

During the few remaining weeks before the 1964 campaign gets underway, work is continuing on the organization of the drive.

Miss Ostrander reports excellent response from alumni replying to requests for volunteer workers throughout the country to work with the fund chairmen.

Two new divisions of the Law School Fund Campaign have been added this year. They are: Judiciary, with Judge James Breakey of Ann Arbor as chairman; and Special Gifts, chaired by John S. Tennant of New York. Henry Wingate of New York is assisting Mr. Tennant.