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## California Judge Speaks Out

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### CALIFORNIA JUDGE SPEAKS OUT

Judge Wilbur C. Curtis, of Los Angeles, makes two suggestions to "point the way back to public respect for the courts and the Bar."

He says, first, "Provide by law that every representation of fact, made by a lawyer while acting in the capacity of an attorney at law, shall be deemed to have been made under oath and subject to all the pains and penalties of perjury. I think that in time this would help to restore the lawyer to the high place in public esteem which he possessed in the ancient days when it was said that a lawyer's word was as good as his bond."

There may be merit in this suggestion, but it seems rather drastic, and, in view of the fact that lawyers are dependent upon others for these statements of fact, the suggestion might lead to rather serious and unjustified consequences.

The other suggestion, that "attorneys restore confidence in the courts by refraining from unjustly criticising it in the presence of clients or the public," is worth noting seriously. We agree with him, "It is too common a practice for an attorney, upon losing a case, to blame it on the ignorance or prejudice of the Judge, instead of on the failure of witnesses to convince"; and so, while interpretations of the word "unjustly" might vary, and though there may be some merit in the claim that appellate courts too frequently rely upon the "abuse of discretion" theory to sustain decisions of trial courts, neither statement is sufficient entirely to overcome the pertinence of the Judge's suggestion.