



---

1929

## American Bar Recommendations/The Lawyer - Learning and Fee

North Dakota Law Review

[How does access to this work benefit you? Let us know!](#)

Follow this and additional works at: <https://commons.und.edu/ndlr>

---

### Recommended Citation

North Dakota Law Review (1929) "American Bar Recommendations/The Lawyer - Learning and Fee,"  
*North Dakota Law Review*. Vol. 6: No. 2, Article 6.  
Available at: <https://commons.und.edu/ndlr/vol6/iss2/6>

This Note is brought to you for free and open access by the School of Law at UND Scholarly Commons. It has been accepted for inclusion in North Dakota Law Review by an authorized editor of UND Scholarly Commons. For more information, please contact [und.common@library.und.edu](mailto:und.common@library.und.edu).

### AMERICAN BAR RECOMMENDATIONS

The American Bar Association, at the recent Memphis meeting, adopted a resolution setting forth the following as a declaration of principles, without requesting legislation to make the same effective:

1. That there be available to every criminal and juvenile court a psychiatric service to assist the court in the disposition of offenders.
2. That no criminal be sentenced for any felony in any case in which the judge has any discretion as to the sentence until there be filed as a part of the record a psychiatric report.
3. That there be a psychiatric service available to every penal and correctional institution.
4. That there be a psychiatric report on every prisoner convicted of a felony before he is released.
5. That there be established in each state a complete system of administrative transfer and parole, and that there be no decision for or against any parole or any transfer from one institution to another, without a psychiatric report.
6. That the various state and local bar associations be requested to give consideration to the recommendations as a part of their programs during the coming year, and for this purpose to secure the cooperation of their respective state and local medical associations.

---

### THE LAWYER—LEARNING AND FEE

We commend the following from the statement of Mr. F. G. Tyrrell of the Los Angeles Bar:

"The most important function of government is to secure as near as may be, equal justice between man and man, between man and society, and in this function the lawyer is the principal agent. Not the court or the jury, but the lawyer stands at the portals of the Temple of Justice, deciding who shall and who shall not enter, and he accompanies the petitioner to its Altars, and there officiates as the Minister of Justice. This task involves responsibilities to the State that must forever establish the practice of law as a profession, not a craft or trade, or a mere means of livelihood.

"Now, when attorney and client are negotiating, how much should be charged by the attorney? How much should the client be willing to pay? Both should reflect that no man can serve efficiently, in the multiform tasks of the lawyer, if he is worried over the problems of subsistence. Pecuniary compensation adequate to the work performed is a good investment for the client and a necessity to the lawyer. The self-respecting attorney will not condescend to 'dickering,' and will make short shift of clients who 'shop' or 'peddle' their business. But the situation is one that sometimes requires the lawyer to be, for the moment, a patient teacher, educating the client to the ethics and requirements indicated."

---

### PUNISHMENT OF PERJURY

We quote the following editorial from The Panel, the monthly publication of the Association of Grand Jurors of New York County, New York: "Too often does perjury confuse and clog our legal machinery, and go unpunished—in spite of the fact that perjury is considered a major crime. The very fact that it is a major crime is