



1929

## Federal Oversight Again

North Dakota Law Review

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

---

### Recommended Citation

North Dakota Law Review (1929) "Federal Oversight Again," *North Dakota Law Review*. Vol. 6 : No. 10 , Article 4.

Available at: <https://commons.und.edu/ndlr/vol6/iss10/4>

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).

## FEDERAL OVERSIGHT AGAIN

Clarence N. Goodwin, former Justice of the Illinois Appellate Court, makes a plea for a National Judicial Commission, and, after following the various efforts of state organizations during the past few years, we are inclined to his point of view. We quote part of what he has said on the subject:

"For generations legislative commissions, bar association committees, various societies, law school professors, practitioners and judges have been turning out reports, papers and suggestions on one or more phases of judicial administration with remarkable dispatch and no little volume. I would not for a moment belittle what has been done. Some of it, of course, has been hasty and superficial, almost casual, but at the same time there are to be found papers and reports which show profound study and earnest consideration of the subject in hand. When, however, one attempts to get to the bottom of the subject, and to draw definite conclusions, he finds himself confronted with an almost boundless mass of material nearly as hard to digest as the annual output of judicial decisions. It was this situation that finally led me to believe that there ought to be some sort of clearing house where all this material could be systematically investigated and appraised, and an institution to which new suggestions could be addressed, and which, in short, would ardently devote itself to the task of finding out how our judicial institutions may be made adequate to our needs. It seemed to me also desirable that such a body should have an official character and be so constituted that its conclusions would carry the weight of great authority.

"Can it be reasonably doubted that a National Judicial Commission, created by Act of Congress, supplied with the necessary means and properly constituted, would be immensely helpful in the attainment of judicial efficiency?

"While it would, of course, analyze and digest the helpful suggestions that have already been made, it would, in addition, it may be hoped, present new suggestions of a very constructive value. We have pretty generally come to realize that new conditions sometimes require a modification of former legal concepts and probably the creation of some that are new. Such a National Judicial Commission ought not like those of Justinian merely to devote itself to the codification of an old and sterile jurisprudence, but rather, by its suggestions, to increase and expand the power of a living law. There seems to be no possible question as to the constitutional power of Congress to create such a commission for the purpose of investigating the administration of justice in both state and federal courts.

"These courts taken together constitute the means by which the judicial work of the nation is performed and in consequence the national government has a direct interest in promoting the efficiency of both systems. So far as the state courts are concerned each state must, of course, act for itself, but there is no reason why we should not consider and investigate the judicial problem as a nation."

---

WORKMEN'S COMPENSATION

The New York Compensation Act provides that whenever there are no persons entitled to compensation under the act for any injury resulting in death the employer, or his insurance carrier, shall pay the sum of \$500 each into two special funds—one for injured persons requiring rehabilitation and one for workmen incurring permanent total