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Fixing Responsibility

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(2nd) 821 (Texas, Dec. 1928). (N. B.—Section 9 of the North Dakota Compensation Law says this: Employers who pay premiums shall not be liable to damages during the period of insurance, “provided that this section shall *not* apply to minors employed in violation of the law, in which case *both* remedies shall be applicable.”)

FIXING RESPONSIBILITY

Mr. Lloyd N. Scott, member of the committee on legal education and admission of the New York City Bar, and a special student of the subject that is the major consideration of such committees, recently made the following statement:

“Ships are given a trial run before being put into commission. Automobiles are given the equivalent of a road test. A lawyer might well be given a chance to see what he can do under actual practice conditions before being granted a lifelong franchise to practice law.

“A junior admission to the Bar for such a period as two years might be provided which would carry with it the right to practice in all courts for that period, subject to final admission after two years, provided:

“1. The candidate shall have kept a complete diary of his legal work during the two years.

“2. He shall have subjected himself to a quiz by his sponsors for interlocutory admission, who should be members of the Bar Association in good standing. This quiz might include the following: (a) Has the candidate for final admission kept a diary of his legal work during two years? (b) If so, has he conducted his legal work and pecuniary transactions in a satisfactory and businesslike manner? (c) Has he followed the code of ethics prescribed by the Bar Association in the conduct of his professional activities? (d) Does he speak and write English accurately and with a knowledge of the value of words so that he might be entrusted with the drawing of wills, agreements and other legal papers? (e) Does he impress you as one for whom you would be willing to assume the responsibility of recommending for final admission to the Bar?

“By proceeding as above we would bring about a closer relationship between members of the Bar and the candidates for admission. Members of the Bar would again assume responsibility which they have lost through the development of law schools, bar examiners and character committees. As a result, the Bar would again be put in control of its own membership and members of the Bar would develop the facts of a candidate's fitness. A judicial responsibility would rest upon the makers of affidavits to hear and determine the facts as to fitness. A decision as to fitness on the record of two years of actual work of the junior member, should give results comparable with the old apprenticeship system in vogue in the earlier years of our country.”

ON THE WAY TO WORK AND PROOF OF DEPENDENCY

North Dakota lawyers who have had occasion to appear before the Workmen's Compensation Bureau on behalf of clients, have found themselves somewhat at sea with respect to two questions. These are:

1. Is an injury compensable if sustained on the way to or from work?
2. What proof is required to establish dependency?

With respect to the first, the cases in courts of last resort have been so numerous that one may state the rules with some degree of