



1928

Fee Schedule

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THE PRESIDENT'S PAGE

At this time attention is naturally centered on the annual meeting, to be held at Valley City on Sept. 4 and 5. Our efficient secretary, and the hospitable lawyers of Valley City, have the program well in hand. As usual, the securing of an out of the state speaker is fraught with last minute disappointments, and his name cannot yet be announced. The speakers from our own bar have been announced in a previous issue of BAR BRIEFS. We shall have the pleasure of having with us as our guests a representative of the Manitoba Bar Association and, I hope, the president of the South Dakota Bar Association.

I hope the attendance at Valley City will be large. Our bar association, like many others, has been through various vicissitudes, and at times has had a struggle for existence. Since its incorporation by the legislature, interest seems to have increased consistently from year to year. Some of the meetings years ago were attended only by a corporal's guard. I have had the pleasure of attending most of them for many years, and, speaking generally, it has been a pleasure. I have felt it to be a duty also for a lawyer, when he reasonably can, to take part in the organized activities of his profession. There is so much that is waiting for us to do, that we can do if we really try; and I think we are trying harder, and accomplishing more, year by year.

It is hoped that most of the committee reports will be printed in this issue of BAR BRIEFS, and they should be well worth careful attention.

The splendid suggestion of Secretary Wenzel in regard to young children at the Mandan Training School has attracted much attention and is bearing fruit. I have appointed a committee, with Judge Christianson as chairman and H. F. Horner as vice-chairman, to study this problem and to present a report to the annual meeting, looking toward the passage of legislation which shall give these youngsters a square deal. This is the kind of reform which the Bar Association should bend all its energies toward accomplishing.

JOHN H. LEWIS,
President.

 REPORTS OF COMMITTEES

FEE SCHEDULE

My report will necessarily be brief.

I have received perhaps a half a dozen inquiries during the year from attorneys who were in doubt about some item of the schedule.

I have endeavored to ascertain, as much as possible, whether the schedule was being used and its standards maintained by the bar generally. From information obtained I believe that it is. Here and there I find complaints by attorneys that it is being violated. The worst offenders that have come to my notice are in the bar of the City of Grand Forks. I am sorry to say that the complaints that have come to me have been against some of the leading attorneys of that city. This is regrettable, inasmuch as the schedule is certainly low enough for attorneys to make a living wage.

To my mind, the schedule of fees involves more than an economic proposition. An ethical principle is involved, as lawyers who charge less than the stipulated amount are not only unfair to themselves and their

families, but are decidedly unfair to the profession. The conduct, for instance, of lawyers who have large general practices, in cutting the fees on foreclosures of mortgages is to my mind indefensible, from an ethical standpoint alone. It certainly is not "doing unto others as one would be done by."

I desire to call attention to one other phase that has come to my notice, and that is that attorneys are permitting large corporations to dictate the amount of their fees. I cannot think of anything more disgusting or humiliating than to think that a learned profession, that is supposed to be a profession of dignity and honor, will sink so low as to permit the laity to dictate what fees they should charge for their services. I think that ours is the only one that has gone to this depth of humiliation.

I believe that if we had active district bar associations, such as the Lake Region Bar has been since its inception, that much could be done in overcoming the conditions of which I speak; the getting together of the bar of several counties, where there is a close acquaintanceship and a close professional affiliation. Where frank and free discussion can be had it strongly tends to remove the unfair conduct on the part of lawyers who apparently do not realize the enormity of the offense which they are committing.

F. T. CUTHBERT, Chairman.

LEGISLATIVE COMMITTEE

The Legislative Committee, appointed by the president for the year 1928-1929, consisted of the following persons:

Fred J. Traynor, Chairman,	Devils Lake.
Charles Starke,	Dickinson.
L. R. Baird,	Bismarck.
Alfred Zuger,	Bismarck.
T. L. Brouillard,	Ellendale.
H. C. DePuy,	Grafton.
John Knauf,	Jamestown.
W. H. Stutsman,	Mandan.
H. F. Horner,	Fargo.
W. A. McIntyre,	Grand Forks.

The first meeting of the committee called by the chairman was held at the office of John Knauf at Jamestown, on Sunday, November 25th, 1928. There were present at that meeting members Knauf, Lewis, Starke and Traynor.

At this Jamestown meeting recommendations made by the Association at its last annual meeting were discussed, and the advisability of legislation was considered upon the following topics:

1. Increase in salaries of district and supreme court judges. Mr. Knauf was designated to prepare and have special charge of the introduction of such bill. He was instructed to cooperate with the committee in terms and salaries of judges, of which William Lemke of Fargo was chairman. Mr. Knauf also designated as assistants upon this matter C. L. Young, Bismarck; Usher L. Burdick, Fargo; E. R. Sinkler, Minot; E. B. Goss, Minot; A. W. Cupler, Fargo; W. A. McIntyre, Grand Forks; F. J. Traynor, Devils Lake; Horace Bagley, Towner.

2. Increase in tenure of office of judges of the district and supreme court. Messrs. Horner and Brouillard of this committee were designated