



1927

## Contingent Fees

North Dakota Law Review

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

---

### Recommended Citation

North Dakota Law Review (1927) "Contingent Fees," *North Dakota Law Review*: Vol. 4 : No. 7 , Article 7.  
Available at: <https://commons.und.edu/ndlr/vol4/iss7/7>

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).

Law School and now of Indiana University, deals with the formulation of what Professor Willis terms an adequate scheme of social control.

He lists twelve reforms, with each of which he deals analytically and more or less effectively, but without presenting any new or novel thought except the following:

“Universal disarmament of individuals, except as they are connected with the military establishment of the government, should be required. It is necessary to disarm the criminal, and the only way to do so is to disarm everybody, including the police.”

We find it a little difficult to agree that the inclusion of the three word addenda would add anything to the theoretical ability of the government to control the crime situation; in fact, we would not be surprised to find many people of sound mind and memory who would seriously question the practical effectiveness of the whole suggestion. So long as guns are manufactured, bad men will get them. It would be our guess, moreover, that the bad men would be the last to be disarmed; and if disarmed, they would still find clubs, knives and stones. It appears, also, that we are running rather short on Irish policemen, and we rather doubt if any other nationality could successfully handle the average run of bad men by making faces or using fists. Professor Willis, of course, reasons thus: “If good men are permitted to arm, all bad men will be armed; armed better than the good men, and the bad men will be better shots than the good men.” But why limit the disarmament to gun-toting? Why not dismantle knuckles and finger nails?

---

### *Annual Meeting—Minot—September*

---

#### CONTINGENT FEES

Notwithstanding the fact that poor people would frequently be deprived of the services of a competent lawyer unless such services could be obtained on a contingent fee basis, and that such arrangements should, therefore, be permitted; nevertheless, there is a growing indication among lawyers and judges that the evils that have established themselves through the medium of these contingent fee arrangements are being recognized, and with that recognition has come constructive effort to eliminate the evils.

“Ambulance chasing”, “running”, “touting”, “crooked doctors”, “subornation of perjury”, are phrases frequently employed in speeches and writings these days, and occasionally we find someone who insists that a clean-cut trial on the merits in a negligence case is as rare as a successful flight across the Atlantic.

Whatever of evil grows or flourishes in connection with lawsuits, whether sprung from the soil of legal procedure or planted by outside agencies, eventually becomes a discredit to the profession itself, and, as a matter of self-protection, the profession must deal with conditions and seek to eliminate the evil.

Regulation and supervision of contingent fee contracts by the courts may not prove to be the most available or effective remedy for the evils that are admitted to exist, but they do suggest constructive effort to correct a growingly dangerous condition. It is to be hoped,

therefor, that North Dakota, through its State Bar Association, will not overlook this item in its program for reform until the stench becomes as fetid and fulsome as it has apparently become in more congested centers.

### *Annual Meeting—Minot—September*

#### ATTENTION COMMITTEE CHAIRMEN

In order to carry out the plan of publishing reports of committees one month in advance of the annual meeting, it will be necessary for the chairmen of the various committees to make their reports available to the Secretary on or before the 1st day of August. This leaves only six weeks for the completion of the work of the committees and the writing of the reports. May we urge a one hundred per cent response from the following chairmen:

- Geo. M. McKenna, Chairman American Law Institute
- A. G. Burr, Chairman Comparative Law
- W. F. Burnett, Chairman Constitution and By-Laws
- Geo. F. Shafer, Chairman Criminal Law
- W. L. Nuessle, Chairman Bench and Bar Ethics
- Fred T. Cuthbert, Chairman Internal Affairs
- Horace Bagley, Chairman Jurisprudence and Law Reform
- Torger Sinnes, Chairman Law Enforcement
- A. L. Netcher, Chairman Legal Education and Admission to Bar
- L. L. Twichell, Chairman Legislation
- Clyde Duffy, Chairman Local Organizations
- John H. Lewis, Chairman Powers, Terms and Salaries of Judges
- A. W. Cupler, Chairman Public Information and Cooperation with Press
- H. L. Halvorson, Chairman Public Utilities
- Paul Campbell, Chairman Uniform State Laws
- O. B. Herigstad, Chairman Citizenship and Americanization.

### *Annual Meeting—Minot—September*

#### DIGNIFIED JUDICIAL LEVITY

Where an unauthorized person forcibly throws a woman's freshly washed and ironed clothes on the floor, it is a question for the jury whether she could lay hands on him more gently than by means of a baseball bat applied to the back of his head.—*State vs. Goode*, 41 S. E. 3.

Where the record is a swarming hive of professional industry and fecundity, it may be said that a skeleton in one's closet is nothing to such a record in one's trunk in full view of the mountains among which one is supposed to be taking his vacation.—*Fouche vs. Harrison*, 3 S. E. 330.

A husband can make a gift to his own wife, although she lives in the house with him and attends to her household duties, as easily as he can make a present to his neighbor's wife. This puts her on an equality with other ladies, and looks like progress.—*McNaught vs. Anderson*, 6 Am. St. Rep. 278.

The non-resident general counsel of a R. R. company is its agent, and it is answerable for his neglect, and where such company's delay in filing an answer is due to his awaiting a copy of the complaint by mail before appointing a resident attorney to file the answer, the delay is