



1926

Committee on Internal Affairs

Fred J. Traynor

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proper rules about publicity can be laid down by the courts, there can be no doubt that reputable newspapers will make every reasonable endeavor to comply with them.'

"Nationally the work of the Bar along this line is being carried on through a committee of the Conference of Bar Association delegates, a section of the American Bar Association, of which Mr. Andrew Sherriff, of the Chicago Bar, is chairman, and we refer you to an article written by him which appeared in the March issue of the Journal of the American Bar Association for a report of the activities of that committee.

"Your committee mailed to all judges in our State copies of the opinion of the Court of Appeals of Maryland and of the editorial in the New York Times from which we have quoted. We also appeared before a gathering of North Dakota Editors called by Mr. E. T. Cutter of Chicago, Superintendent of the Central Division of the Associated Press, and discussed the subject informally with them.

"We have noticed few news items or comments in the papers of our State during the year that incorrectly reported decisions of courts or gave out a wrong impression of our profession. The efficiency of the committee will be increased if members who observe news items or editorials containing incorrect information or reflecting upon the integrity of the profession or tending to interfere with impartial trials, will report same to the committee.

"As interest in the results sought by this committee increases, we hope that there may be a member of the committee in each county in the State, ready to confer with the publisher when questions of propriety of any publication arises and keen to observe any infractions of the ethics that should regulate the conduct of the lawyer, the judge and the newspaper publisher."

(N. B.—We invite your study of the report of the Sub-Committee on Causes, New York State Crime Commission, being the article entitled "Relation of Daily Press to Crime," published in the July number of the American Bar Association Journal.)

COMMITTEE ON INTERNAL AFFAIRS

FRED J. TRAYNOR, Chairman

"The chairman is pleased to report that of the nineteen complaints submitted to his committee none have disclosed facts sufficient to warrant submission of a complaint thereon to the State Bar Board. Most of the complaints, when investigated, have proved to be of such trivial nature as not to even justify referring the same to other members of the committee. Most of the complaints have covered alleged failure of the attorney to account or render report upon small collection items. In so far as the actions of the attorneys complained against on these matters may be criticized at all, it is largely on the point of negligence or inattention to business, or lack of system in doing business."

Complaints regarding fees "resolved themselves into disputes between the attorney and the client as to just what the agreement was."

Two complaints charged improper handling of litigation. "These, however, proved to be complaints without good foundation."

"The most serious complaint submitted to your committee was one referred to it by the State Bar Board. The State Bar Board itself

had investigated the complaint and taken a very considerable amount of testimony thereon, and had recommended disbarment proceedings. Disbarment proceedings were, in fact, instituted, but the judge before whom it was tried made findings and conclusions exonerating the accused. The Bar Board then appealed to the Supreme Court, but the Supreme Court failed to disbar, and referred the matter to the Federal Court, feeling that it was a matter that should have that court's attention. The Bar Board then submitted the record to this committee, with the suggestion that the State Bar Association should devise some form of discipline which might be effective and which would at least establish a precedent."

The matter was then referred to a special committee of the general committee. The special committee advised that it would be "unwise to make or attempt any further proceedings in regard to the present charges," and no further action was taken. The record in the various cases is in possession of the chairman of the committee, from whom further information may be obtained. The suggestion is made that further discussion, if desired, be had in executive session.

COMMITTEE ON LEGAL EDUCATION AND ADMISSION

JOHN O. HANCHETT, Chairman

As usual, the report of this committee brings out a variety of opinion on the question of whether higher standards of education should be required by law. One member expressed himself, in part, as follows:

"Personally, I am of the opinion that some system should be devised which would allow the examining officers considerable latitude in determining the personal fitness of each applicant, and that this personal fitness should not necessarily mean that the applicant must have a college diploma before he commences the study of law. Some of the best lawyers never had a college degree, while I know of a number of college men who should never have been admitted to practice. It is pretty hard to rely entirely upon an educational standard, and it is not really fair to make the test an educational one entirely."

The majority of the committee, including the chairman, points out the fact that educational facilities are widespread and readily accessible, and "any young man, even with the native genius of a Jackson or a Lincoln, would not consider it a hardship to be required to take a certain amount of work in some college preparatory to entering upon the study of law; and there is no young man in America, fired with the laudable ambition of becoming a member of our profession, who could not find the opportunity to do so."

The definite recommendations of the committee are as follows:

"1. That after the year 1931 no person shall be admitted to the Bar in this State who, in addition to present requirements, as to citizenship and good character, and a three-year term of study in a law office or law school, is not 24 years of age, and has not had at least two full years of study in an accredited college, normal school or university, beyond the high school grades, which course of study shall include a complete course in English Literature, in American and English History, Economics and Civil Government.

"2. That commencing with the year 1929 all students registering for study in any law office in the State, shall submit to the State Bar