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## Committee on Legal Education and Admission

John O. Hanchett

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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.

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#### COMMITTEE ON LEGAL EDUCATION AND ADMISSION

JOHN O. HANCHETT, Chairman

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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

Board satisfactory proof of citizenship, age and good moral character, and of pre-legal education, sufficient to show that applicant has all the requirements for admission to the Bar upon completion of his law course.

"3. That all students matriculating at the College of Law of the University of North Dakota, who expect to practice law in this State, shall make a similar application for registration as law students with the State Bar Board at the time of matriculation."

4. This recommendation asks for legislation that will put an end to the illegal practice of law by bank employees and real estate, loan and collection agents, limiting the practice of law to those duly admitted and licensed, the contention being that there is little use of raising standards for admission unless this also be done.

(N. B.—It was pointed out by Mr. Silas H. Strawn, Chairman of the American Bar Association Committee on Legal Education and Admission, in an address before the Florida Bar Association in April, 1927, that the following represented the comparative requirements for the medical and legal professions, to-wit:

No. Jurisdictions Requiring	Medicine	Law
Graduation from Professional School .....	48	1
Two Years Preliminary College Education .....	38	5
Preliminary High School Education .....	44	20
Five Years of Professional Training .....	11	....
Four Years of Professional Training .....	49	....
Three Years of Professional Training .....	49	31
Examination by Public Authority .....	49	35)

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### COMMITTEE ON POWERS, TERMS AND SALARIES OF JUDGES

JOHN H. LEWIS, Chairman

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*Powers.* There appears to be a considerable disagreement in the committee on this subject. The members who met together agreed that the recent statute, taking away from our district judges power to direct a verdict, ought to be repealed. They feel that it is too difficult to frame any intelligent issues to submit to a jury in cases where, prior to this statute, a verdict would undoubtedly have been directed, and that it is unjust to make the parties, who would otherwise have received the directed verdict, pay the costs of a transcript in order to move for a judgment notwithstanding the verdict.

"The views of the committee are at variance in regard to giving judges the power to comment on the evidence. Those who do not wish to see this power given, admit that in theory they ought to have such power but give as their opinion that a power which may safely be lodged with judges appointed for life, as in Federal Court, may not safely be given to judges elected for short terms and inevitably more or less subject to the exigencies of politics.

"There is also disagreement as to the desirability of lessening the amount of our legislation as to procedure and leaving those matters to be dealt with by court rules. Some of the committee feel that such a change would make for greater simplicity of administration, while others feel that it would be unnecessary and dangerous.

*Terms.* The members of the committee attending the meeting seemed generally inclined to feel that the ideal tenure of judges was for