

The Student Movement in Bar Association Work—Effect of Experiences on Young Lawyer's Later Professional Outlook

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ABOUT a month after the opening of school the suggestion was made that the students of the law school organize a Student Bar Association. Just where the time for such work was to come from was not indicated, but nevertheless Richard was intensely interested. He knew vaguely of the American Bar Association, and certain state and local bar associations. The latter he had heard did little more than attend a funeral "in a body" occasionally, but, so he was told, the American Bar Association and certain of the state bar associations were actually accomplishing things. Just what these associations were doing or what a student association could do none of the students could say, but at any rate this seemed to offer an opportunity to become acquainted with what was going on in the profession and with what the progressive lawyers were thinking about, and therefore everyone was anxious to set up an organization and give it a try, to think about lawyers' problems and get away from the eternal grind of reading and briefing cases. Maybe this was what the Judge had in mind when he suggested that students in law schools "where they had nothing else to do" should learn more about professional problems.

The Association was organized with an executive committee composed of the elective officers, and nine sections corresponding in name to those found in the American Bar Association and most state associations, the chairman of each section being appointed by the executive committee. Everyone came to the first few meetings to see what it was all about, but no one seemed to make any such discovery.

No one seemed to know what to do or what could be done by such an organization. The sections wholly failed to function and meetings degenerated into frivolous arguments over such matters as whether, or where, or when to have a student dance, or other equally important student affairs. A few students took advantage of the meetings to practice public speaking without having anything to say. The organization that had started out with the ambitious title of "The University Bar Association" found itself nothing but a weak self government association dealing only with ordinary student affairs and with no greater knowledge of professional problems than it had had at the beginning. At last the students as grouped in the various sections met to discuss the reason for this failure. Immediately it was clear. The students were still interested and wanted an association, but—and this was their great discovery—they didn't know what a bar association should

do, or how they should go about doing whatever such an association should do. They asked for faculty supervision and guidance; they did not want faculty control. The students wanted it to be their organization with voluntary participation but they *did* want advice. Here a new complication arose. Many members of the faculty knew little, and cared less, about bar association work. Some who had been active in professional organizations were familiar only with certain local voluntary bar associations and did not expect any bar association to do any serious or constructive work. It seemed as necessary to educate the faculty as the students!

So there appeared the necessity for counsel by those acquainted and in sympathy with the real possibilities of bar association work in order to inform the students as to these possibilities. It being admittedly desirable for them to be interested and active in bar associations as lawyers, they found themselves, as students, totally ignorant of the nature of the work of a bar association, and, without some guidance, apparently incapable of running one.

Now with the counsel of interested and experienced men the students set to work. Beginning with an opening meeting, at which plans for the year's work were outlined, the program, with monthly meetings spread over the year, was designed to correspond to the intensive three or four day program of the annual meeting of the American Bar Association or an active state bar association. Not being unmindful of the social aspect of the well rounded lawyer's life, a number of Association dances were arranged for by the Section on Law School Affairs, and, with the cooperation of the wives of the Law School faculty, the Association held a number of informal receptions.

The whole project being an experiment, it was necessary to try various types of programs for the monthly meetings. It was found that the students wanted outside speakers, in part. But, still more, they wanted student participation by way of section reports, and, particularly, open forum discussion, especially on problems of interest to lawyers but of which most students had some information from their general reading.

There was considerable doubt expressed that the students would have time for serious bar association work without interference with their studies. As a practical matter, here as elsewhere the answer was that the students who wanted to do so had time for their section work and to serve on committees and attend meetings, and, strangely enough, all seemed to find time to attend all social affairs that the organization sponsored. A sufficient number not only were anxious to prepare reports for presentation before the Association, but, also, they asked for the opportunity to publish their work in their own Bar Association Journal, promising to do work worthy of publication.

Of particular significance as indicating the professional attitude of the students after the year's trial of bar association work was their adoption of the "Professional System." This System made the Association entirely self-governing as to general student conduct, setting up a disciplinary procedure similar to that usually found in an incorporated bar association. The Section on Grievances and Professional Conduct had original jurisdiction to hear all cases, with an appeal from its decision to the Board of Governors whose decision was to be final. When presented with the question of adopting this system, the point at issue proved to be—should each student assume any responsibility for the conduct of his fellow students? The

students approached the question as one of a professional nature and very definitely answered in the affirmative. The argument went as follows: If the profession is to maintain proper standards and command the respect of the public, its members must assume the responsibility of maintaining these standards, and such responsibility should be assumed in Law School as well as after receiving a license. Whose business is it what other lawyers do? Whose concern is it what the public thinks of the profession? Is it too early to begin thinking about these questions while in Law School?

Some had prophesied that the organization would end by being no more than a mere student government association regulating minor matters of law school discipline. But such was not its fate. In fact the Association functioned as it was intended—as a part of the process of legal education, designed particularly to interest students in the broad problems of the profession, to inform them of their professional obligations, and to train them to assume their professional responsibilities.

Some there were who still asked, Why a Bar Association? What's the use of studying lawyers' problems before we are lawyers? Do Bar Associations ever accomplish anything, anyway? But a survey of legal periodicals and bar association proceedings showed that questions of this type are not peculiar to law students. And there were a few who said with frankness that they were studying law in order to make a living and not to help save the public, and they cited prominent practitioners of their acquaintance who held the same view. Yet with the discussion of these problems the reasons for bar associations and preparation to take part in them seemed to become clearer.

As Richard Roe leaves Law School to become an active practitioner he is determined to take an active part in his local and state bar associations. His experiences in the student association have convinced him that the profession can improve itself through the medium of bar associations, and that it is his duty as a member of the profession to aid in bringing about this improvement. In his first year out of school, together with a number of other recent law school graduates he helps to organize a "Junior Bar Association" because many of the older members of the bar in his community were still asking the question, "What good are bar associations, anyway?" and answering it by saying, "All they ever amount to is for a few lawyers to get together to elect each other to some office in the association."

With the enthusiasm of youth, Richard writes back to his school, "If you can send us a few men each year who are really interested and who have some conception of bar association work, in ten years' time we can change the professional attitude of our whole bar and the public's opinion of us. And just think what it would mean if every law school in the country was sending out men who believe as we do in bar associations as a means of improving the profession!"

Wholesome and Inspiring Instructions of Kansas Judge

Following are the instructions recently given to a jury by Hon. Ross McCormick, Judge of Division Number One of the District Court of Sedgwick County, Kansas. They were sent to the JOURNAL by a member of the Kansas Bar, with the comment that they are wholesome and unique and the suggestion that they be

published. The JOURNAL is glad to comply with the suggestion.

INSTRUCTIONS

Members of the Jury:

Read these instructions thoroughly before you commence your deliberations. You are now more than mere citizens and tax-payers. You are jurors and a definite part of this court, with the same high source of authority and the same weighty responsibility. The same honesty and integrity is required of you as is required of me.

Our duties differ. You find the facts; that is your duty. I declare the law; that is my duty. If you go outside the evidence and these instructions, you violate the law and your oath. Allow no one, on or off the jury, to suggest it. If any one does suggest it, report him to me. No man or jury is wiser than the law; obey the law.

If we ourselves violate the law, how shall we, in honor, sit in judgment on others?

The Scriptures say:

"First cast the beam out of thine own eye, then shalt thou see clearly to cast the mote out of thy brother's eye."

In other words, if we are right ourselves, we can do impartial justice. No worthy judge, no honest juror, fears to do right.

At the outset of your deliberations, therefore, remember your oath and resolve to live up to it. It provides that you and each of you will well and truly try the matters submitted to you and a true verdict give according to the law and evidence. It binds your conscience to a solemn sense of duty and of justice. Bear it constantly in mind.

It means that no ill-will, no prejudice, bias, or favor, for or against any law, litigant, or attorney in the case shall, in the least, influence your verdict. It means that no stiff-necked stubbornness or obstinacy shall enter your deliberation, but that reason and common sense shall prevail among you. It means that you will acquit yourselves like men (and women) of honor and character. Anything less on your part will be highly reprehensible.

You will thus do justice, maintain the dignity and integrity of this court, and demonstrate again the merit and reliability of the jury system.

American Ambassador Honored

(From *Scottish Law Review*, May, 1934)

It may have been noticed that the American ambassador has been elected an honorary Bencher of the Middle Temple. The practice of appointing honorary Benchers at the various Inns of Court is modern. It appears that at the Middle Temple the first honorary Bencher to be elected was Lord Robertson, formerly Lord President of the Court of Session, and later, a Lord of Appeal in Ordinary. Elected in November, 1899, he was given precedence next after the Treasurer for the time being and members of the Royal Family. Again in 1905 the late Mr. Joseph Choate, then representing the United States in this country, was made a Bencher, an honor he prized highly and which he recognized in a very practical way by presenting to the library a large collection of American law reports which have been found of immense use.