

3AR PER American Bar News

a news bulletin of the American Bar Association

STANFORD LAW LIBRARY



Vol. 8, No. 11 / November 15, 1963

NOV 26 1963

Board Approves American Bar Retirement Plan; Act to Broaden Other Services to Members



The Board of Governors in Chicago

STEPS TO further broaden the range of American Bar Association services to members dominated the fall meeting of the Board of Governors Oct. 16-18 at the American Bar Center in Chicago.

The Board gave formal approval to procedures for putting into operation the standard form of individual retirement plan for Association members wishing to take advantage of it. The action creates the American Bar Retirement Association (ABRA) as an Illinois not-for-profit corporation to administer the retirement program. It is designed to permit ABA members and their employees to qualify for limited tax deferment starting with 1963 income.

A prospectus of the retirement plan—based on the Self-Employed Individuals Tax Retirement Act of 1962—was scheduled for mailing in November to all Association members. The plan is the product of detailed study and analysis by the ABA Special Committee on Lawyers' Retirement Plan headed by John R. Nicholson of Chicago. It has been submitted as a form of master plan to the Internal Revenue Service, and participations in the plan are being registered with the Securities and Exchange Commission. Qualified observers have termed it one of the most comprehensive and cohesive plans to be formulated under the federal enabling legislation.

ABA Legal Column • The Board of Governors also gave preliminary authorization to the Committee on Public Relations to inaugurate in the spring of 1964 an American Bar Association informational column on law for laymen to be distributed nationally to daily newspapers as a public service feature. The column would cover a wide range of topics concerning law, lawyers and courts, and would be written from a national perspective so as to be applicable in any state.

The projected weekly column would be the first ever to be sponsored by the ABA. Its purpose would be to provide laymen with interesting and useful information about the profession and the administration of justice, as well as ways in which laws affect their lives. It is in-

tended to acquaint the public with everyday problems calling for legal guidance from an attorney. Further information about the project will be announced later.

Data Processing • The Board authorized leasing of new IBM data processing equipment for fast, accurate record-keeping and improved efficiency in service operations of headquarters departments. The new equipment will make possible more complete and up-to-date records of individual members, greater speed in mailings, promptness and avoidance of error in address changes, as well as operating economies.

Student Loan Plan • The Board also gave consideration to proposed American Bar Association sponsorship of a law student loan fund program to assist qualified students needing financial aid. The plan would involve creation of a special reserve fund by ABA, and the participation of an authorized commercial bank through which low-interest rate loans would be made available. The reserve underwriting the loans would make available bank credit in an amount 12 and one-half times greater than the reserve.

The loan plan is one outgrowth of a study of legal education needs conducted two years ago by the so-called Webster Committee, headed by Bethuel M. Webster of New York. A subcommittee of the Board of Governors is consulting with the ABA's Section of Legal Education, and the Special Committee to Study Financing in the Field of Legal Education, and also with the American Law Student Association which has advocated a loan program. The Board was informed a definitive program may be ready for formal action at the next meeting of the Board in February.

Heavy Agenda • Because of a heavy agenda, the Board met for three days in Chicago, with most of one day devoted to reports on Bar Center activities by staff executives. On Saturday and Sunday, Oct. 19-20, the annual Section Chairmen's Conference was held at the Bar Center and at the University of Chicago law school

(Continued on Page 2)

with approximately 75 persons in attendance. Members of the Board of Governors participated in the joint sessions to acquaint Section officers with over-all ABA procedures and programs.

In other actions the Board of Governors:

- Unanimously endorsed new legislation by Congressman Eugene Keogh (HR 8771) and Senator Smathers (S. 2229) to remove the 50 per cent limitation on allowable tax deductions by self-employed for individual retirement programs under the Self-Employed Individuals Tax Retirement Act of 1962.

- Adopted a resolution supporting the Havana Bar Association in exile, "and the people of Cuba in their struggle for re-establishment of liberties and the rule of law" in Cuba. The resolution urges the United Nations to request the release of political prisoners sentenced by Castro-controlled courts, and other "effective measures" by the UN to bring about recognition by Cuba of fundamental legal rights of individuals as guaranteed by the Universal Declaration of Human Rights, of which the Republic of Cuba was a signatory.

- Voted to waive Association dues for lawyer volunteers in the U.S. Peace Corps while in active service (two years) on the same basis as dues presently are waived for the initial period of service of members of the armed services.

- Considered a revision in the Association's dues structure and directed a special study committee of the Board to submit a report and recommendations to the House of Delegates at the Midyear meeting in February.

- Accepted on behalf of ABA a bequest of five per cent of the annual income from a trust of approximately \$500,000 established by the late Henry C. Morris, Chicago attorney. The Morris trust directs that the Association utilize the income to offer prizes for essays related to international law.

- Authorized the Junior Bar Conference to incorporate the "Liberty Bell Award" in the framework of the annual Law Day USA observance (*Details Page 3*). Also approved as a JBC project the sponsorship of a 1964 national "Courtroom Design Competition" for architectural students, the contest to carry prizes totalling \$1,000. It is intended to stimulate interest in, and improve design standards for general purpose trial courtrooms. The Board deferred action on a JBC request to change the name of the section to the "Young Lawyers' Conference," referring the proposal back to the section for further study and report.

- Heard a report that contributions to the Bill of Rights Memorial project sponsored by the ABA has surpassed the \$50,000 goal. The permanent memorial will be dedicated next August in connection with the Association's 87th annual meeting in New York City.

- Reaffirmed the policy that foundation grants to sections or committees of the ABA for appropriate educational projects should be channeled through the American Bar Fund for Public Education, established in 1961, rather than through proposed separate fund agencies. The action excepts grants to the American Bar Foundation for its research activities.



ABA Brief Seeks New Precedent in International Law

The Association has filed an *amicus curiae* brief in *Banco Nacional de Cuba v. Sabbatino* (No. 16) asking that the Supreme Court declare an act of the Cuban government in violation of international law. The case involves confiscation by the Castro government of a shipload of sugar belonging to a Cuban corporation controlled by United States interests. The company was expropriated under a Cuban law aimed at U.S. owned or controlled property. The ABA brief states that "the Association is interested in presenting to the Court its views on fundamental tenets of the law of nations applicable to the protection of property of foreigners." It urges the Court "to affirm the vitality of these principles of international law and to determine that they have been violated by the government of Cuba in this case." ● Reorganization of the headquarters staff in Chicago moved forward this month with the appointment of John M. Thompson as manager of purchasing and office services. Thompson presently is general superintendent of Damascus Tube Co. in Greenville, Pa. He previously served the firm for 10 years as purchasing agent. ● More than 500 decisions relating to land condemnations for public purposes are reviewed in the 1963 Report of the Committee on Condemnation and Condemnation Procedure of the Section of Local Government Law. The number of cases is approximately double that reported in previous years. "Much of the stepped-up tempo of litigation in the condemnation field assumedly arises from the increased amount of public construction now under way, particularly in the highway field," the new report states. The 196-page report may be purchased at \$2.50 per copy from the Department of Section Services, American Bar Association, 1155 E. 60th Street, Chicago, Illinois 60637. ● Subscriptions to "Unauthorized Practice News," quarterly publication of the Standing Committee on Unauthorized Practice of Law, are available at \$1.50 a year through the Information Service at ABA headquarters. The pamphlet provides a full review of bar programs to curb the unlawful practice of law, including analysis of important court decisions on unauthorized practice. ● The Section of Criminal Law has launched a study of bail bond problems affecting indigent defendants in 11 major cities. Charles A. Bellows of Chicago, Section chairman, is appointing local committees to conduct the study in Baltimore, Boston, Chicago, Detroit, Los Angeles, Miami, Minneapolis, New Orleans, Philadelphia, St. Louis and San Francisco. They will work under the direction of Alfred Kamin, professor of law at Loyola University in Chicago, chairman of the new Section committee on Bail and Criminal Justice. ● More than 100 lawyers and judges attended the New England Conference on Defense of Indigent Persons Oct. 31-Nov. 1 at Harvard Law School. The meeting, first in a planned regional series, was co-sponsored by the New England Law Institute and the National Legal Aid and Defender Association.

"The Law" Becomes a Regular Feature in Time Magazine

TIME magazine chose the opening of the new term of the U.S. Supreme Court to launch a new section on "The Law." It will be carried as a regular feature of the weekly newsmagazine.

The first section, printed in the edition of October 18, included a biographical sketch of Association President Walter E. Craig as well as background data on the new court term and the *Gideon* decision on right to counsel.

Publisher's Comment • In a column introducing the new section, Bernard M. Auer, publisher, said the three



Seamon



Mrs. Booth



Bowen

TIME staffers assigned to "The Law" will "approach their assignments as journalists informed in their subject, not as technical experts, and will have—in addition to guidance from many sources—the advice of a special legal consultant."

Senior editor for the section is Richard Seamon, a 1940 graduate of Yale. The writer is Associate Editor William Bowen, a 1948 graduate of Princeton University (Phi Beta Kappa), who also holds a master's degree in history from Yale. Bowen is assisted by Researcher Karen Burger Booth.



The American Bar Association has asked the American Medical Association's Physicians' Advisory Committee on Television, Radio and Motion Pictures to consult with ABA's Legal Advisory Committee on the accuracy of TV medical shows substantially involving law and court themes.

ABA's request, made through the Committee on Public Relations, grew out of numerous complaints from lawyers and judges about the portrayal of a medical malpractice case in a segment of the *Dr. Kildare* series. The program entitled "The Good Samaritan" was televised nationally on Oct. 3. The *Kildare* series bears a credit line acknowledging the cooperation of the AMA.

Register Complaint • In addition, the ABA Legal Advisory Committee on Television and Motion Pictures registered a complaint with the producers of the series. The Committee contended "The Good Samaritan" gave an unrealistic impression of legal liability of physicians who render medical assistance in emergencies, and that the portrayal otherwise distorted the role and motives of the attorney for the plaintiff.

Approve New Theme and Award for Law Day USA

"OBSERVE THE LAW—Key to Order, Justice, Freedom."

That will be the theme of the 1964 Law Day USA observance next May 1. It was adopted by the Law Day Subcommittee of the American Bar Association Board of Governors meeting in Chicago last month. The theme is related to the policy declaration adopted by the ABA House of Delegates in August, calling for an orderly resolution of civil rights problems within the framework of law.

Liberty Bell Award

The Board of Governors also sanctioned as a national Law Day project of the Junior Bar Conference a "Liberty Bell Award," for which only laymen would be eligible. The award would be made by local JBC groups, with the approval of state bar organizations, for outstanding examples of community service in fields related to the objectives of Law Day USA. These include citizenship, fostering of law observance and respect for law, and activities advancing the effective administration of justice. Full details of the Liberty Bell Award will be set forth in the ABA's *Law Day USA Planning Guide for Bar Associations* scheduled for nationwide mailing to bar officials in late November.

The Liberty Bell Award originated with the Young Lawyers' Conference of the State Bar of Michigan in 1962, and was approved there by the Michigan Bar board of governors. It was adopted in connection with Law Day USA this year in several cities in Utah and the State of Washington.

The award not only provides a means through which the legal profession may recognize outstanding public service by laymen in law-related fields but it serves to focus attention on the objectives of Law Day USA as an occasion for public participation.

Craig Tour to Strengthen Links With Latin Lawyers

President Walter E. Craig will depart next week on a two-week tour designed to promote more friendly contacts and closer professional relations between lawyers and bar associations in the United States and Latin America.

His tentative schedule, arranged in cooperation with the Inter-American Bar Association and the Educational and Cultural Exchange Division of the U.S. Department of State, calls for visits with law school deans, judges and bar association leaders in Bogota, Colombia; Quinto, Ecuador; Lima, Peru; Rio de Janeiro, Brazil; Buenos Aires, Argentina; Montevideo, Uruguay, and Santiago, Chile.

Mr. Craig said the conversations will explore the possibility of increased participation by Latin American bar associations in both the Inter-American and International Bars, looking ultimately toward further development and strengthening of legal institutions in the Western Hemisphere.

Launch Drive For Charter Members of World Law Center

A WORLD-WIDE drive has been launched for charter memberships in the World Peace Through Law Center created by the recent Athens Conference on World Peace Through Law. More than 500 memberships, including those of top lawyers and legal scholars from many nations, had been recorded by November 1.

All the world's lawyers are eligible for membership, said Charles S. Rhyne of Washington, D. C., chairman of the executive committee for the Center. Bar associations throughout the world have been asked to assist in the campaign. Among the first members to enroll are John



McCloy



Pound



Shawcross

J. McCloy, president, Ford Foundation; former Vice President Richard M. Nixon; Thomas E. Dewey; Roscoe Pound; Robert Martin, former president of the French Bar Association, and Lord Shawcross, former Attorney General of England.

ABA Leaders • Others include ABA President Walter E. Craig of Phoenix, Ariz.; Lewis F. Powell, Jr., president-elect, of Richmond, Va.; Edward L. Wright of Little Rock, Ark., chairman of the House of Delegates, and many past presidents of the Association including Cody Fowler, Tampa, Fla.; William J. Jameson, Billings, Mont.; E. Smythe Gambrell, Atlanta, Ga.; Robert G. Storey, Dallas, Tex.; Whitney North Seymour, New York City; Harold J. Gallagher, New York City, and John C. Satterfield, Yazoo City, Miss.

Application forms may be obtained by writing to the temporary headquarters of the World Peace Through Law Center, 400 Hill Building, Washington, D. C. The charter membership fee is \$50 per year with a pledge to maintain the membership for five years.

Executive Committee • Creation of the World Peace

Through Law Center organization culminated a 6-year program initiated by the ABA through its Special Committee on World Peace Through Law. All Center activities now are under direction of an executive committee composed of 24 lawyers from 21 nations of the non-communist world. One of the first major decisions facing the committee, Rhyne said, is selection of the site for the proposed permanent Center headquarters. The Hague, Netherlands; Vienna, Austria, and Athens, Greece, are under active consideration, he said.

While the ABA has no official connection with the Center, or its membership drive, the Section of International and Comparative Law plans to invite all its members to join, Rhyne said. Certain of the Section's committees also will assist in setting up committees of the Center, he added.

The Center will function as a clearinghouse for information, research and cooperation in international law and serve as a focal point for future action programs directed to the goal of world peace through law.

Other Members • Other lawyers already listed as charter members include U.S. Senators Joseph S. Clark and Jacob Javits; Fernando Fournier, president, Costa Rican Bar Association; Charles F. Brannan, former U.S. Secretary of Agriculture; Fouad B. Atalla, counsel to the King of Jordan; Edward Bennett Williams; Edgar N. Eisenhower; Wright Tisdale, general counsel, and William T. Gossett, former general counsel, Ford Motor Company; Darrell Harris, president, American Law Institute, and Harold Stassen.

Law Deans • Numerous law school deans also are in the charter group. They include Erwin N. Griswold, Harvard; Elwood F. Hettrick, Boston University; Rev. Robert F. Drinan, S.J., Boston College, and Miriam Rooney, Seton Hall.

American Bar News

Vol. 8, No. 11, Nov. 15, 1963

Second Class Postage Paid at Chicago, Ill. 60637

Published monthly for members of the American Bar Association, to inform them of Association activities and related bar events. **Editor**, Don Hyndman, Director of Public Relations.

Correspondence with respect to Association business may be addressed to: Joseph D. Stecher, **Executive Director**, American Bar Association, 1155 East 60th St., Chicago, Ill. 60637.



American Bar News

1155 East 60th Street, Chicago, Illinois 60637

Vol. 8, No. 11 • November 15, 1963

SECOND CLASS
POSTAGE PAID
CHICAGO, ILL.