

ACTIVITIES OF THE ASSOCIATION

THE PRESIDENT'S LETTER

To the Member Schools:

In 1950 the Association of American Law Schools will have completed the first fifty years of its life. It is not too early to begin plans for an appropriate celebration at the 1950 annual meeting, and it is suggested that the Cincinnati meeting should be called upon to consider preliminary arrangements.

Our observance of this anniversary will have served one useful purpose if it turns our attention again to the history of the Association—to a consideration of its contributions to the cause of legal education in America, and thus to a renewed appreciation of its capacities for service in the future. I believe that law teachers, especially the younger ones among us, will find it a rewarding experience to become acquainted with this history, and I commend to them, as a point of departure, President Kirkwood's review of the Association's first thirty-five years.¹

In its early years the Association met at the time and place of the annual meeting of the American Bar Association, but beginning in 1914 a separate meeting has been held each year during the Christmas week. All of those meetings have been held in Chicago with the exception of the 1929 and the 1935 meetings, which were held in New Orleans.

Many people erroneously assume that the Association is an accrediting agency. However, I am sure no jurisdiction requires graduation from an Association school as a qualification for admission to the bar examination. The American Bar Association's list of approved schools is accepted as the official source of accrediting information. It is, of course, true that the list of approved schools and the membership of the Association are now practically identical. There are now only seven American law schools approved by the American Bar Association which are not members of the Association, and two of those have applied for membership. No conflict has ever developed between the two organizations, and during the past ten years in particular they have worked in complete harmony and on a cooperative basis.

All of us recognize that minimum standards for membership must be established and maintained; but the principal purpose and function of the Association has been and must continue to be that stated in its Articles—"the improvement of the legal profession through legal education." This necessarily involves standards and assumes objectives which are debatable and somewhat illusory. But primarily the Association's function is itself educational in nature. Knowledge of what is being said, done, and proposed in the name of legal education is the first essential to "improvement."

¹ HANDBOOK 22 (1934).

I think we sometimes underestimate the quality of the lawyers who have had their training in Association schools. In particular, we may think that those graduates in the lower scholastic range of the class might well have been eliminated prior to graduation. However, it is literally true that anyone who has survived a program of college and professional training involving six or seven years belongs to the intellectual aristocracy of the country. (Consider the limited number of people—physicians, preachers, and doctors of philosophy—who have a similar background.) A lawyer with the minimum five years of training ranks high in the amount of his training and in the achievement that has been required of him. The over-all average of the top students and the bottom students covers rather a wide gap, but the difference between the members of a graduating class, if only the third-year record is considered, is not too striking.

The fact is that we deal with a very superior group. Law-school students are capable of much more than we require of them. To my mind the challenge to the Association has to do almost entirely with the substantial improvement of our product.

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THE ANNUAL MEETING, 1948

The meeting of the Association of American Law Schools, to be held December 28, 29 and 30, gives promise of being a most interesting one. The place will be the Netherland Plaza Hotel in Cincinnati, which provides facilities both spacious and attractive. In choosing a location other than a Chicago hotel, the Executive Committee was influenced by the difficulty of getting, for this year, desirable accommodations in Chicago at the time which has proved most acceptable. It is planned to return to the Edgewater Beach Hotel in Chicago for the 1949 meeting.

The Round Tables are scheduled as follows: Tuesday afternoon (December 28), Administrative Problems, Business Associations, Legislation, and Jurisprudence; Tuesday evening, Crimes, Labor Law, Property, and Torts; Wednesday afternoon, Public Law, Remedies, and Conflict of Laws. The general session on curriculum and methods is set for Wednesday morning.

The several Round Tables will be of great interest to particular groups. A widespread general interest will be found in the session on curriculum and methods. The plans for this session were made by joint action of the Committee on Curriculum and the Committee on Teaching and Examination Methods. The subject chosen by these Committees is "The Impact of Public Law on Post-war Curricula and Teaching Methods."

The Committees have adopted a novel idea for the presentation of this subject. Professor Cavers wrote as follows about the choice of the subject and about the method of presentation:

The growth in importance of public law appears to be the principal factor making for change in American legal education. Three years from the end of World War II, it seems evident that not only have the legislative and administrative innovations of the 1930's become, in substance, a permanent part of our governmental structure but also that the problems of the post-war period are likely to induce even further intervention by government, local, state and national, in the economic and social life of the American people. Moreover, the new role that the nation is playing in world affairs is greatly enhancing the importance of the laws governing the world community and its organization.

These developments are affecting legal education in at least six ways: (1) Law schools are finding it necessary to offer more instruction in public law. (2) Enrolments in elective public law courses have materially increased. (3) Either the time available for private law courses or the number of students electing them is being curtailed. (4) Public law elements are becoming increasingly important in private law fields, further blurring a distinction that has always been of dubious validity. (5) Traditional teaching methods are proving not to be wholly satisfactory for the development of some of the public law fields. (6) The pressure on time for the coverage of private law subjects is creating problems of teaching method in the private law fields.

Various aspects of the foregoing developments have been the subject of discussion at Association meetings for a number of years, and the views of many law teachers of long experience are already on record concerning them. Instead of inviting the renewed expression of these

views, the Committees are planning to tap another body of opinion: the views of law teachers who have begun the teaching of law since the start of World War II. Not only has this group had little opportunity to take an active part in Association meetings, but its members entered law teaching at a time when attention was already being focussed on the problem with which the program is concerned. Many, moreover, have come to law teaching from war-time experiences calculated to give them fresh insight into the problems of public law.

To make sure that this group will be heard from, the Committees have worked out an unusual plan for the conduct of the meeting. A panel of eight law teachers has been chosen well in advance of the meeting, four by each Committee, from teachers of public and private law who have entered law teaching since the start of World War II. They will engage in a round-table inter-change of views on the platform. Discussion will then be invited from the floor, but only teachers meeting the same qualifications will be eligible to participate. In the unlikely and unhopd-for event that they exhaust their views before the end of the meeting, their seniors in point of service will be given a chance to release any pent-up ideas and emotions.

Both in planning the program and in preparing reports to be made at the meeting, the Committees have performed well. The reports will appear in the printed program, promised by the printer for distribution by the first of December. The work of the Committees is aided materially by meetings of their membership. Because of the wide geographical distribution of membership, the only real chance of getting together is at the annual meeting preceding the year of service. The luncheon period on Wednesday (December 29) is designated in the program as furnishing a convenient opportunity for satisfying this very real need.

Wednesday evening will be particularly suitable for dinner meetings of alumni or fraternity groups. Following the dinner period there will be the annual smoker. Dean Rowley, with the help of members of the Cincinnati Bar, is planning the entertainment for that evening.

F .D. G. RIBBLE,
Secretary-Treasurer.

University of Virginia.

CONCERNING THE JOURNAL

The history of discussions looking toward the publication of an official journal by the Association of American Law Schools extends back almost to the origin of the Association itself. In 1904, just four years after the Association was formed, the Executive Committee recommended "the establishment of a journal, to be devoted to the advancement of Legal Education, to be known as the American Law School Quarterly."¹ The project in its present form, however, stems immediately from a series of recent developments. In 1946 the Executive Committee, under President Ferson, appointed a committee consisting of Ralph W. Aigler (Chairman), Charles T. McCormick, Clarence M. Updegraff, Lawrence W. DeMuth, Russell N. Sullivan, and Bernard C. Gavit to consider proposals for the publication of a journal.² The committee canvassed the membership and recommended that the subject be discussed fully on the floor at the annual meeting.³ Accordingly, at its 1946 meeting the Association, after considering the question,⁴ adopted a resolution offered by Professor Updegraff for the committee, declaring itself in favor of initiating the publication of a periodical "to be devoted to the needs, purposes and technics of legal education." The resolution authorized the Executive Committee to consider and act in respect to all details necessary to the early beginning of the proposed publication.⁵

Pursuant to this resolution, the Executive Committee announced at the 1947 meeting the completion of plans for publication of the JOURNAL OF LEGAL EDUCATION. A resolution⁶ adopted by the Executive Committee established the present editorial organization and approved plans whereby the JOURNAL was to be printed and distributed by the West Publishing Company and the Foundation Press, Inc., and to be edited for the Association by the Faculty of Law at Duke University.

The JOURNAL is a quarterly. The first issue (Autumn, 1948) appeared in August. The regular publication schedule is as follows:

Number 1	Autumn	September 1
Number 2	Winter	December 1
Number 3	Spring	March 1
Number 4	Summer	June 1

As a rule, manuscripts must be in the hands of the editors three months before the date of publication, although a limited number of exceptions can be made, especially for "Comments" responsive to material published in a current issue.

The editors will welcome not only manuscripts submitted for publication but any suggestions looking toward the improvement of the JOURNAL or the expansion of its usefulness. Teachers in member schools particularly, we

¹ 27 A.B.A.REP. 556 (1904). See the address of President Kirkwood, HANDBOOK 22, 29 (1934), reviewing the subsequent progress of the proposal.

² HANDBOOK 90, 198 (1946).

³ *Id.* at 198, 203.

⁴ The debate is recorded in *id.* at 38-43.

⁵ *Id.* at 40.

⁶ Printed in full in the HANDBOOK 117-118 (1947).

hope, will bear in mind President Seavey's admonition that the JOURNAL's success "must depend upon the willingness of law schools and law school faculties to back the enterprise."⁷

The JOURNAL is distributed to about 2,500 law teachers, 800 bar examiners, and nearly 200 law libraries—a total circulation of approximately 3,500.⁸ It is apparent, therefore, that it offers an unusually effective medium for the communication of ideas on legal education.

The attention of potential contributors is particularly invited to the departments called "Comments" and "Law School Developments," the purposes of which are briefly explained on pages 251 and 285 of this issue. The distinction between "articles" and "comments" is, it must be confessed, a rather fluid one. It is a difference in function rather than in form or in dignity. The intention is to provide a vehicle for relatively short and informal papers, and thus to stimulate the *interchange* of ideas. Similarly, the "Law School Developments" section is designed as a clearinghouse for information concerning experiments in curriculum, teaching method, administration, and the like. It is the hope of the Editorial Board that these departments will be fully utilized and that they will accordingly grow in usefulness to the profession.

It has already been our experience that contributors to the JOURNAL frequently desire reprints of their papers for classroom use or for other distribution. The conditions under which the JOURNAL is manufactured make it impracticable to prepare reprints in the way that some law reviews find possible, but reproduction by planographing can be arranged at reasonable cost.⁹ The editors will gladly make the necessary arrangements on behalf of contributors desiring reprints.

BRAINERD CURRIE,
Editor-in-Chief.

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⁷ HANDBOOK 41 (1946).

⁸ At present there is no provision for expanding the circulation to include persons outside these groups.

⁹ The following table is illustrative of current prices:

Pages	Quantity		
	100	200	500
2	\$ 7.75	\$ 7.00	\$11.50
4	12.25	13.75	17.75
8	19.50	22.35	29.75
12	26.50	29.35	37.00
16	32.50	36.00	45.00
20	44.50	48.50	59.25
24	48.75	55.75	69.00
28	52.75	58.25	73.50
32	57.75	64.75	82.00