Program from the Twenty-seventh Thomas M. Cooley Lectures

University of Michigan Law School

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THE UNIVERSITY OF MICHIGAN LAW SCHOOL

The Thomas M. Cooley Lectures

Twenty-seventh Series

SCIENCE IN THE COURTS

HAROLD LEVENTHAL

Circuit Judge
United States Court of Appeals
for the District of Columbia Circuit

3:30 P.M.
April 11 and 12, 1978

Hutchins Hall, Room 100 — Ann Arbor, Michigan
THE THOMAS M. COOLEY LECTURES

THOMAS M. COOLEY was one of the leading figures in nineteenth-century American law and legal scholarship. He was a member of the first law faculty at The University of Michigan, which was assembled in 1859, and was appointed Dean of the Law Department in 1871. From 1864 to 1885 judicial service as a member of the Supreme Court of Michigan was added to his academic duties. Cooley is perhaps most frequently remembered today for his remarkably influential treatises, especially his works on Torts and Constitutional Limitations. In 1887 he was appointed first Chairman of the Interstate Commerce Commission by President Grover Cleveland.

The Thomas M. Cooley Lectureship was established by the faculty of The University of Michigan Law School in order to stimulate research and to communicate its results in the form of public lectures. The Lectureship is supported by the William W. Cook Endowment for Legal Research.

THE LECTURER

HAROLD LEVENTHAL, one of the most scholarly and imaginative members of the federal judiciary, has an insatiable appetite for new intellectual challenges. It is wholly in character that he should now be exploring the baffling problem of how judges who lack the pertinent technical training can deal adequately with the increasingly difficult and complex scientific issues confronting the courts today.

Judge Leventhal was born in New York City in 1915. He received his A.B. in 1934 and his LL.B. in 1936, both from Columbia. Thereafter he became a law clerk for Supreme Court Justices Harlan F. Stone and Stanley Reed. In 1938–39 he was on the staff of the Solicitor General and in 1939–40 he was chief of litigation for the bituminous coal division of the U.S. Department of Interior. During the World War II years he served as assistant general counsel in the Office of Price Administration and rose to the rank of lieutenant commander in the Coast Guard. Following the War he was a staff member for Justice Jackson at the Nuremberg War Crimes Trials, executive officer for the Hoover Commission in studying the federal regulatory commissions, and chief counsel in the Office of Price Stabilization. From 1946 to 1965 Judge Leventhal was engaged in private practice in Washington, D.C. Along the way he found the time to be general counsel of the National Democratic Committee for seven years and a visiting lecturer at Yale Law School for five years. In 1965 he was appointed to the U.S. Court of Appeals for the District of Columbia Circuit.

Judge Leventhal can boast of having provided three current members of the Michigan Law School faculty with matchless postgraduate legal training while they served as his law clerks on the Court of Appeals. They in turn can boast that he also provided them with what may have been at least as valuable a contribution to their intellectual life—weekly tours of the National Gallery of Art, and a knowing insider’s introduction to the world of Washington.

In addition to holding several prestigious University lectureships, Judge Leventhal has published a substantial number of articles in various legal periodicals.
SCIENCE IN THE COURTS

LECTURE I

Tuesday, April 11

When the Courts Decide—
Of Laymen Appraising Experts

LECTURE II

Wednesday, April 12

When the Courts Review—
Of Generalist Judges Overseeing
Specialized Agencies

Panel Discussion

The Lecturer will be joined by
James A. Martin
E. Philip Soper
G. Joseph Vining
Professors of Law
University of Michigan
PREVIOUS THOMAS M. COOLEY LECTURES

1947: The Constitution and Socio-Economic Change
Professor Henry Rottschaefer, University of Minnesota

1948: Our Legal System and How It Operates
Professor Burke Shartel, The University of Michigan

1949: Some Problems of Equity
Professor Zechariah Chafee, Jr., Harvard University

1950: Administrative Discretion and Its Control
Dean E. Blythe Stason, The University of Michigan

1952: Perspective in Conflicts Law
Professor Hessel E. Yntema, The University of Michigan

1953: Selected Topics on the Law of Torts
Dean William Lloyd Prosser, University of California

1954: A Common Lawyer Looks at the Civil Law
Professor Frederick Henry Lawson, University of Oxford

1955: Public Policy and the Dead Hand
Professor Lewis M. Simes, The University of Michigan

1956: Frontiers of Constitutional Liberty
Professor Paul G. Kauper, The University of Michigan

1958: The Use of International Law—A Re-examination
Professor Philip C. Jessup, Columbia University

1959: Judges: Oracles of the Law
Professor John P. Dawson, Harvard University

1959: Law and Processes of Social Change in United States History
Professor James Willard Hurst, University of Wisconsin

1961: Towards Administrative Justice
Professor H. W. R. Wade, Oxford University

1962: Criminal Law Reform in England
Dean D. Seaborne Davies, University of Liverpool

1964: Policy, Justice and Principle in the Choice-of-Law Process
Professor David F. Cavers, Harvard Law School

1965: Politics and the Independent Regulatory Commission
Professor William L. Cary, Columbia University Law School

1967: Recent Developments in Contract Law
Professor Otto Kahn-Freund, Oxford University

1969: Politics, the Constitution, and the Warren Court
Professor Philip B. Kurland, University of Chicago

1970: New Priorities in Criminal Justice
Bernard Botkin, formerly Presiding Justice, Supreme Court of New York, Appellate Division

1970: The Reform of Civil Procedure
Professor Maurice Rosenberg, Columbia Law School
Professor Benjamin Kaplan, Harvard Law School
Professor Mauro Cappelletti, University of Florence

1971: Regulating the Broadcaster
Professor Louis L. Jaffe, Harvard Law School

1973: Income Taxation and Political Rhetoric
Professor Boris I. Bittker, Yale University

1974: The Future of Imprisonment
Professor Norval Morris, University of Chicago

1975: Biology, Ethics and Law: Can They Help Each Other?
Professor Robert S. Morison, Cornell University

1975: The Emergence of an American Theory of Law
Professor Stanley M. Katz, University of Chicago
Professor Morton J. Horwitz, Harvard University
Professor William E. Nelson, Yale University

1977: Judicial Review and the National Political Process
Professor Jesse H. Choper, University of California, Berkeley