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# RES

January 31, 1966  
Vol. 19, No. 3

# G E S T A E

ALL THE FITS  
NEWS TO PRINT

The Weekly Newspaper of the U-M Lawyers Club

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NEWSBEAT: New Dean to Remain in Chicago

Yes, Francis A. Allen, our new Law School Dean, has elected to remain in Chicago until this summer, since his appointment by the University Regents last Friday does not become effective until July 1.

This is somewhat of a letdown, of course, after all the last-minute excitement last Friday, when your diligent reporters spent an anxious afternoon buttonholing professors as they emerged from the impenetrable, smoke-filled Faculty Dining Room of the Lawyers Club in an attempt to beg, cajole or bribe them for a disclosure of the precious news--a "scoop" as they say in newspaper-land. We asked for an on-the-spot interview only to find that that would entail a trip quite beyond the meager budget of Res Gestae. "Chicago?!" cried our editor, "Next you'll be asking for an eight-hour day!" Even threats to join Time-Life were unavailing.

Anyway, for those who failed to get a copy of the EXTRA edition of RG covering the announcement of the new dean, Professor Allen was recommended by a six-man Law School faculty committee which was approved by President Harlan Hatcher and chaired by Professor Richard Wellman. In its recommendation the committee observed:

"FEW, IF ANY, PERSONS in the legal profession have a finer reputation for scholarship than Francis A. Allen. His professional work displays creative imagination as well as technical skill, and is of uniformly high quality. A gifted teacher in his own right, he has a clear understanding of the scholarly and academic enterprise."

Reached at his home in Chicago, Professor Allen said of his new appointment: "I regard the Michigan Law School as one of the great law schools of the world--and one of the great graduate schools. My family and I eagerly look forward to our return to the Ann Arbor community."

Born in Kansas City, Kansas, in 1919, he earned the bachelor of arts degree at Cornell College (Iowa), in 1941, and the bachelor of laws at Northwestern University in 1946. He has received honorary degrees from Harvard University and from Cornell College.

The new dean has served on the law school faculties of Northwestern University, Harvard University, and The University of Michigan (1962-63) as well as of the University of Chicago, where he is at present University Professor in the Law School.

A specialist in criminal law, he served as drafting chairman of the group which formulated and secured passage of the Illinois Criminal Code of 1961. This code is widely considered as an outstanding example of substantive criminal law, and it has been copied by several other states.

In 1961, Professor Allen was named by Robert Kennedy, then U.S. Attorney General, as chairman of his Committee on Poverty and the Administration of Federal Criminal Justice. The two-year study of this committee and its subsequent report, according to U-M Vice President Smith, "stands as a landmark in effective professional work, and it led directly to the enactment of the federal Criminal Justice Act of 1964."

The new dean has also served as a consultant to the U.S. Department of Justice and on the President's Commission on Law Enforcement and the Administration of Justice, 1965-66. He is a member of the Citizens Committee of the Family Court of Cook County (Illinois), 1962-66.

Newsbeat, cont.

In 1946-48, Professor Allen was law clerk to Chief Justice Fred M. Vinson of the United States Supreme Court. In 1951, he was an attorney for the Economic Stabilization Agency.

AMONG HIS PROFESSIONAL ACTIVITIES have been positions as associate editor of "Journal of Criminal Law, Criminology, and Police Science" and membership on the editorial board of the "British Journal of Criminology." He has been consultant to the National Defender Project, and in 1963, was a faculty member for the Salzburg Seminar in American Studies.

Professor Allen is the author of the book, "The Borderland of Criminal Justice: Essays on Law and Criminology," published in 1964, and of many articles and reviews in legal and criminological periodicals, chiefly on criminal law, constitutional law, and family law topics.

He married June F. Murphy in 1947. They have two children: Neil Walsh Allen, a student at the University of Chicago, and Susan Lee Allen, a student at Grinnell College.

- Professor Bishop Honored by the Regents -

William W. Bishop, Jr., professor of law at the University of Michigan, has been named a "distinguished" professor by the U-M Regents. His new title will be Edwin DeWitt Dickinson University Professor of Law, in honor of the late Professor Dickinson, who died in 1961 and was considered the nation's leading international law teacher.

In making the appointment, the Regents noted that "the Law School's program in international law is, in a real sense, his creation." The international law curriculum ranks as one of the most extensive in the nation, comprising 11 courses and seminars, while Professor Bishop's "International Law Cases and Materials," now in its second edition, is, by a large margin, the most widely used book in its field. Professor Bishop has been editor-in-chief of the "American Journal of International Law" since 1962.

- Prof. Bishop on I-Law in Vietnam -

Pursuant to popular demand, Professor Bishop has agreed to change the topic of his remarks at the International Law Society dinner meeting on February 3 from the previously announced subject of the Problems of the New States to Vietnam. He will discuss the aspects of international law applicable to the conflict going on there, with particular reference to the Geneva Accord of 1954, its current status and how it affects the situation in Vietnam today. The sign-up list will go up outside Room 100 Hutchins today, Monday, January 31 for the dinner which will take place Thursday, February 3 at 5:45 PM in the Faculty Dining Room. Anyone may sign up, but any non-member of the Society must have paid his \$3.00 dues by the time of the meeting to Secretary-Treasurer Bob Faux, B-21 (this can be done by leaving an envelope containing the dues for Bob at the Lawyers Club desk.)

The International Law Society will hold its first Beer Session of the semester on Friday, February 4 at 10:00 PM at the Old Heidelberg. Bring a date.

- Oh Well, An Honest Mistake -

Professor Leavell's daughter, referred by her Ann Arbor schoolteacher to a speech correctionist, returned to class the following day with a note from the correctionist reading, "This girl has no speech impediment. She's merely a southerner."

- Ah, The Dangers of Extracurricular Activities -

After agreeing with a student that a Supreme Court opinion exhibited "muddy thinking," Professor St. Antoine commented, "I would submit that Mr. Justice Douglas, being taken up with various extracurricular activities, has lost the fine edge of craftsmanship he once had."

Newsbeat, cont.

- For the Record -

Law School enrollment for the winter term presently stands at 1093, down from 1113 who completed the fall term. Twenty-eight students graduated in December, while four transfers and four graduate students have entered for the first time.

Three new visiting professors grace these hallowed halls this term: Wayne R. LaFave, Assoc. Prof. of Law, University of Illinois, who is teaching a section of Criminal Law with Dr. Watson; Marlyn E. Lugar, Prof. of Law, West Virginia University, who landed three sections of Pleading and Joinder; and Shinichiro Michida, University of Tokyo, who is teaching the seminar on International Business Transactions.

On leave this term are Professors P. Kauper and Polasky, and Assoc. Prof. Israel. Returning are Professors Bishop, Estep and Wm. Pierce.

As reported last week, interviewing rooms are being added along the sides of the study room in Hutchins Hall. Not reported was the fact that the study table portion of the room is to be relighted with fluorescent fixtures. During the winter and summer terms when interviewing is virtually nonexistent, the rooms will be available for student study use on a no-reserved basis. Present plans also call for moving the Placement Office to Room 209.

A list of 1966 graduates who have accepted positions will be included in the QUAD, together with their future business addresses. If you want to be listed, please give the information to the Placement Office by February 4. You need not have used the placement service to be included.

- Crimes Revisited -

Freshmen, and juniors who missed out last year, should be sure to sign up soon for the Jackson and Milan Prison trips. This year the Student Board of Directors has decided to finance as many trips as are economically possible, provided that the student response is as high as expected. The experience is invaluable background for Criminal Law. The student can get a glimpse of what happens after the sentence is pronounced. Amateur penologists might try to see both institutions, the state prison at Jackson and the Federal Correctional Institute at Milan, for an interesting comparison.

- Crime Prevention -

Two steps have been taken by the Board of Directors recently in an attempt to thwart the growth of crime right here in the Law Club:

1. Last Monday the Board passed a resolution to pay for paint with which an applicant firewood owner can mark the ends of the individual pieces for the purpose of making a trace possible on wood reported stolen. Those wood theft victims interested should contact Duane Ilvedson.

2. Jack Lynch reported that magazine binders had been ordered for the periodicals in the Law Club Lounge, with reminders to be printed thereon to the effect that the Lawyers Club should not be financing any one person's need for a subscription. Perhaps the thieves will at least be inconvenienced by having to remove the magazine from its binder--unless, of course, the binder might also enhance his room.

- For Richer or Poorer -

The Law Wives are looking for newly married (since Jan. 1, 1966) law wives--please sign the list on table in Administration office.

--Wm. H. Conner and Steve Petix

MEDITATIONS: "Thou Knowest, Lord, Thou Knowest"

God, Thou knowest I am growing older. Keep me from becoming talkative and possessed with the idea that I must express myself on every subject.

Release me from the craving to straighten out everyone's affairs. Keep my mind free from the recital of endless detail. Seal my lips when

Meditations, cont.

I am inclined to tell of my aches and pains. Teach me the glorious lesson that occasionally I may be wrong. Make me thoughtful but not moody, helpful but not bossy. With my vast store of wisdom and experiences, it seems a pity not to use it all, but Thou knowest, Lord, that I want to keep my friends. Amen.

(Anonymous)

## CAMPBELL COMPETITION: "Insiders," This Year's Topic

The legal restrictions imposed upon corporate "insiders" in dealing with the shares of their own corporation is the subject of this year's Henry M. Campbell Competition. The 12 semifinalists are Richard Leukart, Robert Sarrow, Calvin Bellamy, Natalie Gingell, Michael Coffield, R. E. Rassel, Kay Felt, James Kleinberg, Peter Truebner, Ed Frost, Joel Strauss and Robert Wells. From among these 12 contestants 4 will be chosen to participate in the final round March 9.

Faculty and students are invited to attend the arguments which will be held Friday, February 4 at 3:30 PM and 7:00 PM, and Saturday, February 5 at 10:00 AM in the Moot Court Room of Hutchins Hall. The mock Supreme Court will consist of Professor A. F. Conard, Mr. Calvin Thomas of The General Motors Corporation, and Mr. Rodger Findley of Ann Arbor.

The clear delineation of the rights and obligations of corporate insiders is an area of the law that is as yet unclear. This was brought to the attention of the general public in a most dramatic fashion when the Securities and Exchange Commission brought suit against the Texas Gulf Sulphur Corporation last year. Many of its officers and alleged insiders were charged with defrauding the public by trading in the shares of the company without disclosing the discovery of a vast ore deposit. This year's Campbell problem is based upon these facts. The competitors will argue whether trading with inside information is covered by the Securities and Exchange Act at all, and if so, whether the Commission is the proper party to assert this action on behalf of individual investors. Finally, if the Commission has a good case, will the recovery have to be turned over to the corporation as is the established procedure under Section 16(b) of the Act?

--Tom Ledbetter  
Campbell Chairman

## REPORT FROM THE BOARD: §

The Board of Directors is looking for a student to organize and manage production of next fall's issue of the Law School Student-Faculty Directory. The primary responsibility of the position will be to secure advertising for financing of the Directory from Ann Arbor merchants, and businesses which provide services to the legal profession. The prospective manager's salary will be determined by a percentage of the income from the advertising secured. Anyone who is interested in the position should contact Bill Herman within the next two weeks.

The Directory was begun as an individual project by several juniors two years ago and is now managed by the Board of Directors. It is distributed in the fall on a gratuitous basis to all law students and faculty. This year's operation of the project broke even; but it has a potential of making a profit for the Board. What will the funds be used for? Maybe for more Susterka parties!

--Lynn Bartlett

## COHEN'S CORNER: The Legalistic War on Poverty

EARL JOHNSON, JR. is Assistant Director for one of the most important battle units in President Johnson's (no relation) escalating War on Poverty, the Legal Services Program (LSP). During an interview one month ago in his Washington office not far from the White House, Mr. Johnson stated that 20 legal service programs are currently operating in 18 cities on \$1.5 million in grants from the Office of Economic Opportunity (the official title for the coordinating organization of all the War on Poverty programs).

Cohen's Corner, cont.

Some 65 communities (including Ann Arbor) have submitted proposals for legal service grants and the American Bar Ass'n, the National Bar Ass'n, and the National Legal Aid and Defender Ass'n have endorsed and offered to help carry out the program.

THE UNIVERSITY OF DETROIT is a recipient of a LSP research and development grant of \$250,000 for the first year. Although somewhat atypical of the majority of OEO grants, the elaborate U of D project may be of interest to Michiganders and others who believe law is a crucial weapon in any effective attack on poverty. Mr. Johnson explained that this grant provides for:

- full time attorneys who give neighborhood legal services to the poor, and allows U of D law students to aid these staff attorneys at the school's legal clinic;
- five new courses in the U of D curriculum relating to law and poverty including ones on housing and on juveniles;
- a graduate studies program in law and poverty;
- legal research on the development of materials for the five new courses and on proposed changes in state and local statutes and administrative rules and procedures; and
- education of the public through scheduled classes and periodic oral presentations as to their legal rights.

But most legal service programs funded by Mr. Johnson's agency are not operated through a law school. Instead, the grants go to existing legal aid societies or newly created private non-profit organizations. (The Washtenaw County Legal Aid Society, which is operated by UM students, has had its request for \$42,000 approved at the county level and is now undergoing evaluation by Mr. Johnson's agency in Washington.) Currently 100 to 150 full time attorneys are employed by these local organizations aided by the LSP.

THE POTENTIAL EMPLOYERS are the local organizations themselves, not the LSP or the OEO, but Mr. Johnson agreed that the LSP would be willing to forward resumes and applications from UM graduates to interested programs and would send the new LL.B.'s a list of available organizations in their geographical preference areas. Because the LSP is not the direct hiring agency, but merely makes grants to local programs, it does not defer attorneys from the clutches of the Selective Service System as do the Peace Corps and VISTA (OEO's domestic peace corps).

Salaries for LSP funded programs are based on previous experience. In the Washington, D. C. neighborhood legal services program, for example, the average for a recent law graduate is \$7-8,000 and the average attorney's age in a range of 24-50 is 34 years. Happy hunting, seniors!

#### FEDERAL CORRECTIONAL INSTITUTIONS: Milan, Michigan

On Thursday, January 20, 1966, thirteen members of the Washtenaw County Legal Aid Society left the halls of ivy for an afternoon pilgrimage into the realm of the U.S. Bureau of Prisons. On our arrival we were greeted by Mr. Carey, formerly employed in Leavenworth, Kansas, and now the educational supervisor in Milan. At the present time 534 men are the guests of John Q. Taxpayer in this federal hotel at the rate of \$6.00 to \$6.50 each per day.

The 534 inmates are supervised by 60 guards and 80 white collar employees. The men are serving an average sentence of 2-1/2 to 3 years. About 1/3 of the inmates here do receive parole before their time is up by the calendar. Though the average "new recruit" has only attained the 7th or 8th grade, there are several "Jailhouse Lawyers" in Milan. These are not disbarred attorneys. Rather they are described as men who "can't get themselves out but can get everybody else out."

The housing is not typical of "movie prisons." There are eight dormitories consisting of open rooms with about 60 cots in four rows side by side. Two other dormitories offer at least the privacy of individual rooms with lockless doors as contrasted with the barracks atmosphere noted above.

Traditionally, some comparison must be made between the quality of food offered in Milan and at the Law Quad. After dining in the prison

Federal Correctional Institutions, cont.

cafeteria, several comments tended to establish the fact that these prisoners actually are served a better meal than residents of the Law Club.

The main industry within the walls is the fabrication of wall lockers and army-prison type cots. These are sold to various other federal agencies. The men employed in these jobs earn from \$30-\$40 per month which is credited to their individual commissary accounts. No handiwork by the prisoners is sold to the public in any federal prison. Men are also employed in Food Service, the hospital, the library, the laundry, and various other institutional positions. All the inmates have jobs to occupy their day. This is in contrast to Jackson which is 10 times larger and does not even begin to employ all of the inmates. Besides this work, 25 inmates are employed "outside the walls" in Milan, Ann Arbor, and Ypsilanti. Officials hope to expand this work program outside the prison gate.

Contrary to FBI reports of a spectacular increase in our national crime rate, the population in the federal prisons (currently 23,000) has been decreasing by 100 men per month during the last two years. This institution could accommodate another 75-100 men without any crowding.

One fact noted, which shatters the myth of prisoners toiling over the law books until dawn. The library contained ONLY the United States Code. No federal digest. No law reviews. No federal cases. Evidently Mr. Gideon had more facilities at hand. Some attempt is being made to remedy this situation in Milan by contributions from the University of Michigan Law School.

The Legal Aid Clinic is presently trying to work out some procedure whereby student attorneys will be able to assist the inmates both here and at Jackson. Already a number of letters have been handled from both institutions. A similar Legal Aid program is now operating at Leavenworth in cooperation with students at the University of Kansas Law School.

Even allowing for the better food offered in Milan, a majority of the 13 decided to "pass" on any extended stay and returned to the Quad with a better picture of "life behind the walls."

**WEEKENDER: Two Ladies--One Fair**

The weekend scene offers a wider motion picture selection than has been offered in these parts in many a recent Friday and Saturday.

The Michigan offers the long-awaited "My Fair Lady," 1964's Best Picture. The Shavian-based musical sports the Best Actor in Rex Harrison and several other awards to boot, including the title of Lease Erotic Box Office Success of the Year (a rarity). The only thing missing is Julie Andrews, but that, of course, is another story. Put this one on the must-see card.

The movie house down the block--namely the State--is in a sad one. Doris "Sunny" Day moves in with "Do Not Disturb," a "comedy" straight from the Doris Day plot machine in Hollywood. This time poor Rod Taylor takes the Rock Hudson-James Garner role as America's box office queen's longsuffering husband. Hold on with this one. If it's not any better than her last few efforts (e.g., "Send Me No Flowers"), you'd be wise to save your change and follow the title's directions.

The Cinema Guild features the "long-awaited" return to Ann Arbor of the British comedy, "School for Scoundrels" (1960). If the cast of Terry-Thomas, Alistair Sims, and Ian Carmichael are true to form, this one looks like a winner. The short subject is "Hot Dog."

Finally "The Knack and How to Get It" will probably remain at the Campus, or so it seems at press time. (Cf. last week's column for the capsule review on this one.)

P.S. Playgoers should look into the ticket situation on "Tartuffe," the excellent Moliere satire, and "Absence of a Cello" with Hans Conreid. The reviews on these two are very favorable.

--Jay Witkin