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THE LAW SCHOOL 1952-53

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THE LAW SCHOOL 1952-53

In reporting the current news of the Law School we must first speak of the students without whom the school would not exist. Another year has opened, this time with about a ten per cent reduction

below last year in student enrollment, and consequently considerable relief from the rather overwhelming peaks of the earlier postwar years. Lawyers are deemed expendable in a military program, and, accordingly, a large proportion of college students intending to study law have, since the beginning of the Korean "police action" in 1950, been called to duty by their Selective Service boards immediately after graduation from college and before enrolling in the Law School. Therefore, pressure on our first-year classes has been considerably reduced during the past two years, but, notwithstanding this fact, with 258 members in the beginning class, 186 in the second-year class, 272 seniors, 24 postgraduate candidates for advanced degrees in law, and three unclassified, the grand total of 743 students is still far above prewar totals. Furthermore, we anticipate that in another year Korean veterans will be returning to civilian life, and when that occurs the pressure on the entering classes will again mount in substantial degree.

This fall at registration time each student in the School was handed a new publication entitled the *Law Students' Handbook*, a 70-page booklet containing a wealth of practical and helpful information to assist in various phases of the relationship between the student and the School. We think this handbook is sufficiently newsworthy to warrant a reasonably complete description. At the outset the booklet sets forth a careful statement of the general objectives of legal education with which the student should become familiar to help him adjust himself satisfactorily to the study of law and the mastery of legal methods. It is made clear that much more is expected of the student than the mere acquisition of a working familiarity with the basic rules of law, as important as that is to the prospective lawyer. It is noted that the student must also obtain an understanding of the breadth of the purpose and scope of the law as a means of social control, and particularly he must master the fundamental processes of the common law method—that is, he must acquire facility with the processes of inductive, deductive, and analogical reasoning so characteristic of the profession. Moreover, he must make a long start on the mastery of the more important legal skills, such as interpretive skill, skill in research, verbal skill, skill in draftsmanship, etc. Then, going into considerable detail, the booklet sets forth a careful statement of what the law student should do to prepare himself properly for his classroom hours and to review for his examinations if he is to be successful in the Law School.

Dealing with certain more specific matters, subsequent sections of the booklet set forth the numerous academic regulations of the law faculty—graduation requirements, the details of the grading system,

final examination rules, attendance regulations, and the like. Another section is devoted to intramural activities of the students of the School—the Michigan Law Review Editorial Board, the Case Clubs, and the Student Bar Association with its varied activities. And finally, there are sections devoted to scholarships and financial aid, to placement counseling, and to the graduate and research programs of the School. All of this is designed first of all to help first-year students make the adjustment to what for them is a new and different educational experience, and then to assist advanced students to enjoy a more informed relationship with problems of program planning and other administrative contacts within the School. The handbook fills a real need.

As time goes on faculty changes are inevitable. The older men retire, new ones take their places, and life goes on. Some important additions to the faculty have taken effect this year. S. Chesterfield Oppenheim has been brought to Michigan as Professor of Law from George Washington University Law School where he has served on the faculty since 1927. Professor Oppenheim is well known as a specialist in the law of antitrust and unfair competition. He earned his Bachelor of Arts degree in 1916 and Master of Arts degree in Economics in 1920 from Columbia University. Thereafter, from 1921 to 1926, he served as an instructor of economics in the College of Literature, Science, and the Arts of the University of Michigan. Concurrently, during the years 1923 to 1926, he studied law in the Michigan Law School where he received his J.D. degree in 1926 and an S.J.D. degree in 1929. The author of numerous books and articles in his field, Professor Oppenheim has also been active in the antitrust work of the New York Bar Association and the American Bar Association. He not only brings maturity and experience to the Law Faculty, but he will greatly strengthen our teaching and research in the fields of antitrust and unfair trade practice.

Another addition to the faculty is Luke K. Cooperrider, who has been appointed Assistant Professor, coming from active practice in Cleveland, Ohio, where he has for the past four years been associated with the firm of Squire, Sanders and Dempsey. Mr. Cooperrider took his undergraduate work at Harvard College where he received the degree of Bachelor of Science in Government in 1940. After working for a brief period with the Ohio Department of Taxation, he was inducted into the United States Army, where he served throughout World War II, being discharged in 1946 with the rank of Major in the Signal Corps. Thereafter he enrolled in the Michigan Law School, where he earned his Juris Doctor degree in September 1948. During the current

year, Mr. Cooperrider will be teaching one section of the important first-year course in the law of Torts.

A third recently added faculty member is Beauford James George, Jr., who also has been appointed Assistant Professor beginning this year. He will work in the field of Crimes and Criminology, replacing Professor John B. Waite who has now retired from active teaching. Mr. George earned both the Bachelor of Arts and the Juris Doctor degree from the University of Michigan. During the year 1951-52, he was engaged in the work of the New York State Crime Commission, acting as a member of the legal staff of the special assistant prosecutor appointed for the purpose of seeking convictions in cases investigated by the Crime Commission. He also served the New York Legal Aid Bureau for a period of time, acting principally as defendant's counsel in criminal cases under court appointments made on recommendation of the Bureau. These "field experiences" with criminal law in action permit Mr. George to bring some valuable practical understanding to the teaching of the law of Crimes and to the first-year classes in the Law School.

One of the significant features of legal education at Michigan is the systematic and extensive program of legal research. With the help of financial support derived from the William W. Cook Endowment Fund, the members of the Law Faculty have for the past fifteen years and more, both individually and with the aid of student and graduate assistants, carried on a substantial and productive research program—a program which is not only resulting in the publication of some important volumes but which also enriches the teaching in the School. This last year has brought to fruition several significant research projects and has witnessed the initiation of several others. For the sake of the record it seems worth while to include in this report a complete list of the volumes that have been published to date in the legal research series. The bookshelf of publications is becoming decidedly impressive. The volumes, with their respective dates of publication, are as follows, and the list does not include the numerous law review articles and commercially published casebooks and treatises the preparation of which has been aided by research funds.

Discovery Before Trial (1932), by *George Ragland, Jr.*

Transactions of the Supreme Court of the Territory of Michigan (6 vols., 1935-40), by *William W. Blume*

Ratification of the Twenty-first Amendment of the Constitution of the United States (1938), by *Everett S. Brown*

Torts in the Conflict of Laws (1942), by *Moffatt Hancock*

The Amending of the Federal Constitution (1942), by *Lester B. Orfield*

Review of Administrative Acts (1942), by *Armin Uhler*

- The Prevention of Repeated Crime (1943), by *John B. Waite*
 The Conflict of Laws: A Comparative Study (3 vols., 1945-50) by *Ernst Rabel*
 Unreported Opinions of the Supreme Court of Michigan, 1836-1843 (1945), by *William W. Blume*
 Problems in Probate Law: Model Probate Code (1946), by *Lewis M. Simes* and *Paul E. Basye*
 The Constitution and Socio-Economic Change (1948), by *Henry Rottschaefer*
 Soviet Civil Law (2 vols., 1948-49), by *Vladimir Gsovski*
 Survey of Metropolitan Courts: Detroit Area (1950), by *Maxine B. Virtue*
 Some Problems of Equity (1950), by *Zechariah Chafee, Jr.*
 Administrative Agencies and the Courts (1951), by *Frank E. Cooper*
 Our Legal System and How It Operates (1951), by *Burke Shartel*
 Conflict of Laws and International Contracts (1951), by *Ronald H. Graveson, et al.*
 The Law and Labor-Management Relations (1952), by *Charles O. Gregory, et al.*
 Taxation of Business Enterprise (1952), by *Harley L. Lutz, et al.*
 Current Trends in State Legislation (1952), by *Donald H. Remmers, et al.*
 Atomic Energy: Industrial and Legal Problems (1952), by *Paul C. Aebersold, et al.*

Special attention should be called to several new and unique features of the legal research program. First, the recently created Legislative Research Center brings forth its first formal publication, the 1952 volume entitled *Current Trends in State Legislation*. This Center, which is supported partly from Cook Endowment Funds and partly from general University funds, has been established to "promote teaching and research and also to provide service in the general field of state statute and constitutional law." In this first volume of *Current Trends*, which is intended to be the lead-off volume in a series of similar publications in years to come, each of eleven subjects of important contemporary interest in state legislation is given exhaustive treatment. Some of the subjects covered are as follows: Recent Legislative Trends in Defamation by Radio, Reciprocal Support Legislation, Statutes Concerning Photographic Copies as Evidence, Administrative Enforcement of Civil Rights, Recent Legislation Affecting the Place of Trial (*Forum non Conveniens*). In each instance, the author sets forth a complete statement of the history of the legislation, together with description and analysis of the enactments of the several states that have adopted it and any judicial decisions that may have been handed down with respect to it. The Legislative Research Center plans to publish a similar volume each biennium, treating different subjects on each occasion, and in this manner it is hoped that the new program will make available to those who are interested in contemporary legislation a careful and systematic examination of the frontiers of state statute law in this country. There is real need for such a service.

Another research project now being carried on by the Legislative Research Center in cooperation with a group of five members of the Law Faculty is an examination of the unique legal problems of peacetime use of atomic energy. The project, which is supported by a grant of funds from the University of Michigan Memorial Phoenix Project, deals not only with the law as it is found at the present time, but also with what it is likely to be and what it should be in the future. One of the first volumes to be published in connection with this project will be a complete legislative history of the Atomic Energy Act of 1946 and its amendments. This will be off the press early in 1953. As a part of the project the Law School sponsored a three-day Institute on Industrial and Legal Problems of Atomic Energy held in its Law Quadrangle during the latter part of June of 1952. Technical experts, government officials, and industrialists, as well as members of the bar, were drawn together to discuss and confer with respect to the problems arising in this new and important field. Discussion ranged from technical problems of power production and the use of isotopes in industry and medical therapy through a wide variety of legal implications, including the numerous and unique patent problems, problems of tort liability, unusual workmen's compensation problems, the terms of contracts involving atomic energy developments, and legislative matters, including necessary amendments of the Atomic Energy Act—all of which are likely to be found in the grist of law offices in the generation to come. The proceedings of this Institute are being published and will be off the press toward the close of the year 1952. In any event it can fairly be said that in this phase of its work the Law School research program is looking toward the future.

A third interesting recent accomplishment of the research program is the establishment of a new law journal, *The American Journal of Comparative Law*. With Professor Hessel Yntema of the Law Faculty as the Editor, and with the financial contributions and cooperation from several of the principal law schools of the United States, together with the American Foreign Law Association, this journal, which is edited and published at Ann Arbor, makes available in this country for the first time an adequate literary source to help members of the bar and other interested persons keep informed regarding what is happening in the legal systems in other parts of the civilized world. It is a contribution toward the promotion of better mutual understanding across international boundary lines.

Finally, in this report of news of the Law School, mention should be made of the renewal of the activities of the Michigan Law School

Alumni Society—an organization which was set up first in the late 1930's, but which, with the advent of World War II, virtually suspended activities. With the aid of a faculty committee, reorganization is now being carried on with vigor. The Law Society, which works within the framework of the general University Alumni Association, is an association of all Michigan Law Alumni, who band themselves together for the promotion of understanding and aid between alumni and the School. By means of meetings, bulletins, communications, advisory committees, and otherwise, it will systematically acquaint alumni with affairs of the Law School and will provide a medium for taking full advantage of alumni interest in the School. The Society will furnish in the principal cities of the country centers of specific information concerning the School, for the assistance of prospective students, and also information concerning professional opportunities for the practice of law to aid seniors about to graduate. Formal organization is kept at a minimum. No membership dues are involved, and each local group selects its own officers as it may desire. A corresponding secretary is installed in each city in which there are substantial numbers of alumni, and he serves as a means of contact between the local alumni and the Law School. It is confidently expected that, with the Law Society reenergized, it will both promote professional contacts among Michigan alumni and perpetuate loyalty toward the School.

E. Blythe Stason, Dean