

# The I Witness



VOL. IV

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NO. 2

## ALUMNI ENCOURAGED TO ATTEND ANNUAL MEETING

The School of Law will honor two groups of alumni during the annual meeting of the Alumni Association at a dinner in the Indiana Memorial Union at 5:30 p.m. on Sunday, June 7.

Members of the classes of 1914 and 1939 of the School of Law will be feted along with the "new" alumni, the members of the class of 1964.

Members of the class of 1914, the Golden Anniversary Class this year, will receive special citations from the Alumni Association in recognition of their fifty years of service to Indiana University, the School of Law, and the Bar.

Dr. Joseph Ewers, Assistant to the President of Indiana University, Elvis J. Stahr, will speak.

Claude Rich, Alumni Secretary, has indicated that Law alumni who return for their annual dinner will have much to choose from during their visit to Bloomington, for many gala Commencement Weekend events are being arranged.

Our own James Pease, Law graduate (LL.B., '39) and world-renowned singer, will be on hand to participate in the "Second Opening Night of the 1939 Jordan River Revue," scheduled for Saturday evening, June 6, in Alumni Hall. The program also lists a dance featuring the sound of the "Big Bands of the Late Thirties." The dance, featuring the arrangements of Glenn Miller, Tommy Dorsey, etc., will follow the 1939 Jordan River Revue.

Other events open to returning Law alumni are: The Alumni Institute, The Commencement Barbecue, President and Mrs. Stahr's Reception, and many other events. Check the enclosed program and send in your reservation card today!

### Members of the Silver Anniversary Class of 1939

Harold J. Beli Indianapolis, Indiana	William H. Hillman, Jr. Grand Rapids, Michigan
Charles Edward Blum Indianapolis, Indiana	John Harvey Himelick Connersville, Indiana
David Norton Brewer Indianapolis, Indiana	Tom R. Huff Plymouth, Indiana
James D. Brinkerhoff Garrett, Indiana	Horace M. Kean, Jr. Indianapolis, Indiana
John W. Christensen Columbus, Ohio	Isadore Jay Krieger New Orleans, Louisiana
Henry H. Cochrane Indianapolis, Indiana	Robert Franklin McCrea Bloomington, Indiana
David Moie Cook Indianapolis, Indiana	Col. Robert E. Masters Bloomington, Indiana
James M. Crum Ft. Lauderdale, Florida	Thomas N. Mathers Winnetka, Illinois
Robert Hugh Duffy Terre Haute, Indiana	Harold H. Meloy Shelbyville, Indiana
Joseph G. Ettl South Bend, Indiana	Frank L. Miklozek Terre Haute, Indiana
Raymond M. Fox, Jr. Michigan City, Indiana	John M. Miller Los Angeles, California
John Thomas Hillis Logansport, Indiana	Winfield C. Moses Ft. Wayne, Indiana

### Members of the Golden Anniversary Class of 1914

Daniel Lawrence Bock Kokomo, Indiana	Chester Alvin Davis Bedford, Indiana
Kenneth Lauris Call Gary, Indiana	Christian Herman Hartke Beverly Hills, California
DeWitt Chappell Evansville, Indiana	George W. Henley Bloomington, Indiana
Hon. Emmet C. Choate Miami, Florida	Ellis Ralph Himelick Connersville, Indiana
Ray Wallace Clark Muncie, Indiana	Roy Huckleberry Washington, D. C.
Lloyd D. Claycombe Indianapolis, Indiana	J. Howard Toelle Downey, California
Preston G. Cox Bloomington, Indiana	Dudley W. Windes Laveen, Arizona

Lt. Col. Isadore J. Newman San Antonio, Texas	William Morton Pontz Kalamazoo, Michigan
James A. Pease Austin, Texas	Joseph R. Roe Columbia City, Indiana
Parker Pengilly Indianapolis, Indiana	R. Foster Scott Washington, D. C.
Stephen M. Pierson Ft. Wayne, Indiana	Fred Alexander Weaver Evansville, Indiana
	Eugene Weaver Brazil, Indiana



**NEW HONOR FOR STAHR**—Indiana University President Elvis J. Stahr displays the honorary membership award given him by Foster Inn, the Bloomington Division chapter of Phi Delta Phi, international legal fraternity. With him are Dean Leon H. Wallace (left), former national president of the honor society, and Associate Dean Ben Small, current national vice-president. Dr. Stahr, recipient of a law degree from Oxford University, England, holds a similar honor with the Breckinridge Inn at the University of Kentucky, where he was Dean of the College of Law.

THE LAW SCHOOL ALUMNI ASSOCIATION has announced the date of the Annual Meeting to be Sunday, June 7, at 5:30 p.m. in Bloomington, Indiana.

Alumni Association President Karl Kolger of Richmond has appointed Past President Claude Warren of Indianapolis as Chairman of the Nominating Committee. Mr. Kolger urges all members of the Alumni Association to forward the names of prospective officers to Mr. Warren of Goodrich, Campbell, and Warren, 711 Electric Building, Indianapolis, Indiana.



## EDITORIAL

A recent survey of the 1963 graduating classes, from both divisions of the School of Law, revealed that six out of every ten graduates entered the active practice of law. Two out of every ten graduates obtained law connected employment in such fields as government and business or as clerks for judges, and non-law positions attracted the remaining senior students. These non-legal positions included military service, graduate work, and teaching. The number of graduates entering the non-legal category will be greatly reduced in the 1964 graduating classes due to the new military policy of exempting husbands from the draft.

It is encouraging to note that beginning salaries for law graduates are slowly becoming competitive with those of graduate degree holders in other fields. The prevailing salary rate paid to outstanding seniors by the large private firms is now averaging around \$8,000. Another significant development is the trend of employers to consider students in the lower quartiles of the class, as well as the members of the Law Journal Staff. This, I feel, is a recognition of the fact that stricter admission policies indicate that promising lawyers may be found throughout the class. Several years ago, the School of Law made the Law School Admission Test a condition precedent to admission and also raised the required undergraduate accumulative average from a 2.2 to the new requirement of a 2.6 on the 4-point scale.

In light of the above, I cite a recent article prepared for *The Student Lawyer* by Dean Seward Reese of the Willamette University College of Law, in which he takes issue with the assumption that success in the practice of law is directly related to law school grades. In support of his position, he says: "I remember Dean Paul McNutt, when I was a student at Indiana, saying, 'The A students make professors, the B students make judges, and the C students make the money.'"

J. A. F., Jr.

## Annual Law Day Program Held at I. U.

Nicholas deB. Katzenbach, U. S. Deputy Attorney-General in the Department of Justice, was the principal speaker for Indiana University's seventh annual Law Day program on May 2, at which honor students in Law were recognized.

The I. U. program included an afternoon moot court competition between students from the Bloomington and Indianapolis Law Divisions, presentation of student awards for scholastic achievement, and the closing banquet address that night by Katzenbach.

Judges for the moot court contest, which involved arguments on a labor law case, were Judge George Beamer, U.S. District Court for Northern Indiana; Judge S. Hugh Dillin, U.S. District Court for Southern Indiana; Judge Joseph Carson, Chief Judge of the Indiana Appellate Court, and James V. Donadio, Indianapolis attorney.

Awards given included the outstanding senior prize, the Gavel Award to the person contributing the most during the past year to the Law School, and membership in the Order of the Coif for seniors in the top 10 per cent of their class.

Katzenbach, Assistant Attorney-General in charge of legal counsel prior to his selection in 1962 as Deputy Attorney-General, also has held such former posts as law professor at the University of Chicago and Yale University; attorney-adviser and consultant to the Office of General Counsel of the Secretary of the Air Force; and a law associate with a Trenton, N.J., law firm.

His writings include co-authorship of a book titled *The Political Foundations of International Law*, and *Legal Literature of Air Space*, the latter published by the U.S. Senate Committee on Aeronautics and Space Science.

## Law School Enrollments Increase 20 Per Cent

The number of law students enrolled in American Bar Association approved law schools has increased by 20 per cent during the past two years, according to figures compiled by the ABA's Section of Legal Education and Admissions to the Bar.

Total law student enrollment for the fall semester, 1963, is 49,552, as compared to 44,805 last year and 41,499 for the 1961-62 school year. Of the one hundred and thirty-five ABA-approved law schools, only one-fifth have enrollments of over five hundred.

The thirty largest law schools in the United States for 1963-64, each having an enrollment of more than five hundred, are as follows:

LAW SCHOOL	NO. OF STUDENTS
1. New York University .....	2038
2. Harvard Law School .....	1651
3. University of Texas .....	1312
4. Brooklyn Law School .....	1196
5. Georgetown University .....	1167
6. George Washington University .....	1048
7. University of Michigan .....	1007
8. Hastings College of Law .....	989
9. Columbia University .....	880
10. Fordham University .....	837
11. St. John's University .....	804
12. University of California (Berkeley) .....	803
13. University of Southern California .....	761
14. INDIANA UNIVERSITY .....	753
15. John Marshall Law School .....	709
16. University of Virginia .....	671
17. DePaul University .....	639
18. Boston University .....	626
19. Yale Law School .....	619
20. Suffolk University .....	602
21. University of California (Los Angeles) .....	589
22. Detroit College .....	575
23. New York Law School .....	565
24. Southern Methodist University .....	556
25. University of Florida .....	536
26. University of Minnesota .....	527
27. Wayne State University .....	522
28. University of Wisconsin .....	521
29. Cleveland Marshall Law School .....	518
30. University of Pennsylvania .....	504



**POLITICAL FOES TIE(D) TOGETHER**—Rush week for Indiana University's Phi Delta Phi legal fraternity produced this unusual bipartisan scene, politically speaking, when law seniors Robert E. Peterson (left), Democratic state senator, Rochester, and Fred Sabatini (right) of Logansport, member of Republican Congressman Charles Halleck's staff, joined in efforts to recruit first-year law students (from left) Ridley Lemon of Bloomington, son of Democratic gubernatorial aspirant Tom Lemon; William D. Bontrager of Elkhart, son of State Senator (and Republican candidate for the U. S. Senate) Russell D. Bontrager, and Bill Jenner of Bedford, son of former Republican U. S. Senator William E. Jenner.

The "I" Witness is published by the Indiana University Law School Alumni Association to further alumni interest and support.

### OFFICERS OF THE SCHOOL OF LAW ALUMNI ASSOCIATION, 1963-64

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**THE LULL BEFORE THE STORM**—Panelists (from left) Robert Gamble, News Director of WFBM, Indianapolis; Chief Judge William E. Steckler, U. S. District Court; and Norman E. Isaacs, Executive Editor of the Louisville (Ky.) Courier Journal, are shown conferring with panel moderator, Chief Judge John S. Hastings, U. S. Court of Appeals, before they began discussion on the topic "Free Press and Fair Trial: A Conflict of Fundamental Rights."

## LAW SCHOOL TO HAVE VISITING COMMITTEE

(The following is a report drafted by the Law Faculty and approved by the President of the University. This report establishes a Committee which will be of great significance to the continual, vital growth and development of the School of Law. The Committee's dependence upon interested alumni is obvious and necessitates its inclusion in THE "I" WITNESS.)

### I. ESTABLISHMENT OF THE VISITING COMMITTEE

The committee, to be established, shall be known as the School of Law Visiting Committee.

### II. PURPOSE OF THE VISITING COMMITTEE

The Visiting Committee shall be composed of distinguished judges, lawyers, and other interested persons and will have the advantage of a programmed approach to the interchange of ideas between the School of Law and the Profession. One obvious advantage for the School of Law is that this cooperative endeavor will necessarily serve as an aid to the Faculty in future self-evaluation. Further, the visitors on the Committee will have the opportunity to familiarize themselves with the current problems confronting legal education in general and this School of Law in particular. In brief, a sustained exposure by the Visiting Committee to legal education at Indiana University will be mutually advantageous.

### III. COMPOSITION OF THE VISITING COMMITTEE

The Visiting Committee shall not be limited to alumni of Indiana University nor to residents of the State of Indiana. No maximum number to serve on the Committee shall be fixed. Initially eighteen selected members shall be named. This large number will provide many varied views and assure adequate attendance at all meetings. Each year the School of Law Faculty shall nominate personnel for the Visiting Committee to the President of the University, who in turn shall make his recommendation to the University Board of Trustees. Members of the University Board of Trustees and the President of the University shall be invited to attend and participate in the discussion at Visiting Committee meetings. Members of the Visiting Committee shall be appointed for three year terms. Consistent with the purposes of obtaining diversification of ideas and approaches, there shall not be a restriction upon the reappoint-

ment of members of the Visiting Committee.

### IV. FUNCTIONS OF THE VISITING COMMITTEE

Meetings and programs of the Visiting Committee shall remain flexible and for that reason few guidelines are to be laid down governing its activities. The following are suggestions:

1. The Visiting Committee shall meet not less than once a year and as often as desirable at an appropriate place selected by the Committee.
2. Annually, if the Visiting Committee so desires, there shall be a report from the School of Law including but not necessarily limited to:
  - a. Curriculum
  - b. Academic progress
    - (1) Cooperation with other organizations
    - (2) Law Journal
    - (3) Student activity, etc.
  - c. Scholarships and honors
  - d. Student procurement
  - e. Faculty procurement and activity
  - f. Graduate placement
3. The Visiting Committee shall elect a chairman and such other officers as they deem desirable and the committee shall establish its own rules of conduct. The Committee may wish to organize appropriate subcommittees to arrange and plan programs, to maintain year-round contacts with the School of Law and to concentrate upon curriculum, academic programs, grants, scholarships, student procurement, graduate placement or any other appropriate function. Special committees composed of members of the Visiting Committee and, if deemed advisable, personnel of the University might appropriately be appointed from time to time.

(The preceding statement is intended only as a framework and should not be considered as limiting the functions of the Visiting Committee so long as further activities and functions are reasonably appropriate to the purposes mentioned herein.)

### V. LAW SCHOOL COOPERATION

A permanent Faculty committee shall be established to serve as a liaison and joint planning committee with the Visiting Committee or any appropriate subcommittee thereof.

## Horizons of Knowledge Series Held at Law School

As moderator, Chief Judge John S. Hastings, of the U. S. Court of Appeals for the Seventh Circuit, got two judges, two attorneys, and two newsmen to agree to discuss freedom of the press versus the right to a fair and impartial trial, but unanimity ended there.

Norman E. Isaacs, Executive Editor of the Louisville (Ky.) Courier Journal and Louisville Times, blamed both the legal and the journalistic professions for the American Bar Association's mandate prohibiting the use of cameras in a courtroom.

Leroy K. New, chief deputy prosecutor for Marion County; Robert Gamble, News Director of Indianapolis WFBM; and Judge Saul I. Rabb, Marion County Criminal Court No. 2, agreed that the "public has a right to know" what goes on in the courtroom, and, that within certain physical limitations and with a sense of responsibility, all news media should have the right to cover court proceedings.

Sigmund J. Beck, an attorney and Past President of the Indiana Civil Liberties Union, disagreed on the basis that the "rights of the accused come first," and Chief Judge William E. Steckler, U. S. District Court for Southern Indiana, because the presence of television cameras "threatens the dignity and decorum of the court," upheld the Bar Association's ruling. "The rights of the individual are paramount to the rights of the press," agreed Isaacs. "Journalism has no inherent virtues . . . no God-given right to crucify an accused individual by prejudicing the case before it gets to trial." He added that the conduct of the journalist, regardless of which medium he represents, should govern his presence in the courtroom, just as it does any responsible citizen. The Louisville editor also took a swing at judges and prosecutors who "try their case in the press."

Judge Rabb, in defense of the television camera, said the court is open for the public to see. "The public has a right to know what goes on in the courtroom, and the television camera can illustrate it as well as a typewriter." He cited such limitations as lights and "bulky equipment" and noted that "it's up to the industry to police itself in observance of these limitations."

Mr. Gamble, after responding to the equipment charge with assurances that a trial can be filmed without "disturbances," expressed confidence that satisfactory arrangements could be worked out with the presiding judge if the opportunity were given. "We do not want to contribute to a situation that would prevent a fair trial," he continued. "If we do, we should be thrown out."

Mr. New labeled Canon 35 as outdated, saying that not only does it prohibit the public from getting a proper look at the courtroom, but it implies that the presiding judge is not capable of maintaining order. "The court is the property of the public, and the public has a right to know that justice is being administered," he said.

Judge Steckler recognized the value of "freedom of the press" in bringing about the apprehension of suspects, but beyond that he said the tendency is to interfere with the administration of justice.

Beck, in his defense of the "rights of the accused," cited the slaying of Lee Harvey Oswald before a nationwide television audience as an example of why "accommodations should not be made to the pressures of the press."

Judge Hastings prophesied an ultimate solution to the conflict by way of an eventual U. S. Supreme Court ruling on the problem. He summarized the panel discussion with a suggestion that "while we will settle nothing here tonight, we may stimulate people to thinking about these seemingly conflicting, and yet fundamental, rights—a free press, and a fair trial."



## SCHOLARSHIP PARTNERS

SCHOLARSHIP PARTNERS is a new program through which alumni and friends of the School of Law of Indiana University may assist deserving students and contribute to the future of the legal profession.

This special program, established by the Indiana University Foundation as a supplement to its Law School Fund Campaign, is in response to often-expressed desires to make specific and substantial gifts.

Any person, partnership, or group of persons may become a Scholarship Partner by contributing \$500 or more for an annual law student scholarship which will bear the name of the donor. The Scholarship Committee of the School of Law will choose the recipient. Through the School and the Foundation, the donor and the recipient will be brought into close relationship to permit the one to observe the development of a future colleague and the other to profit from practical experiences.

### 1963 AWARDS

DONORS	RECIPIENTS
C. B. Dutton .....	Charles Boomershine (Monticello, Ind.)
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Professor Jerome Hall

## Career Highlights of Professor Hall

For the purpose of better informing the alumni of the School of Law on the subject of the quality of their faculty, THE "I" WITNESS is adopting a policy of including in each issue an article devoted to an in-depth survey of the career of an Indiana University law professor.

Jerome Hall holds the position of Distinguished Service Professor of Law at Indiana University and has been on the School of Law faculty since 1939. Dr. Hall was educated at the University of Chicago, Columbia University, and Harvard University. He holds the degrees of Ph.B., '22; J.D., '23; S.J.D., '35; and Jur. Sc.D., '35. He also received an honorary LL.D. degree from the University of North Dakota in 1958.

Professor Hall's path to Indiana University led through a variety of positions in the legal field. Upon being admitted to practice in Illinois, he practiced with the firm of Kixmiller & Baar in Chicago from 1923 to 1926. In that year he started his own practice and later served as Assistant State's Attorney of Cook County, Illinois. In 1929 he accepted an appointment as a Professor of Law at the University of North Dakota. After being selected as a Special Fellow (1932-34) at Columbia University and a Benjamin Research Fellow (1934-35) at Harvard

Law School, he taught at Louisiana State University before coming to the Indiana University School of Law.

Jerome Hall is one of the outstanding American scholars in the field of jurisprudence and criminal law. He is the author of *Studies in Jurisprudence and Criminal Theory* (1958); *Theft, Law and Society* (1935, second edition 1952); *Readings in Jurisprudence* (1938); *General Principles of Criminal Law* (1947, second edition 1960); *Cases and Readings on Criminal Law and Procedure* (1949); and *Living Law of Democratic Society* (1949). His latest book, *Comparative Law and Social Theory*, has just been published by Louisiana University Press, and it includes the Edward Douglass White lectures which he gave at Louisiana State University last year.

He has written numerous essays, including those published in *Encyclopaedia Britannica*; *Staatslexikon*; *Twentieth-Century Sociology* (Gurvitch and Moore, eds. 1945); *Interpretations of Modern Legal Philosophies* (Sayre, ed. 1947); *Teoria Juridica Integralista*, pub. in *El Actual Pensamiento Juridico Norteamericano*, Buenos Aires; and *Philosophy of Science* (Wiener, ed. 1953).

Professor Hall has lectured in many foreign universities, including Oxford, Trinity (Dublin), Queens (Belfast) (United Kingdom); Uppsala, Lund, Stockholm (Sweden); Oslo (Norway); Hamburg, Bonn, W. Berlin, Tubingen, Cologne, Saarbruchen (Germany); Perugia (Italy); Tokyo and other state universities in Japan; Taipei (Taiwan); Seoul (Korea); University of the Philippines and other universities in Manila; Tel-Aviv (Israel); Delhi, Calcutta, Madras, Mysore, and Bangalore (India); Dalhousie and Osgoode Hall (Canada); and Luxembourg (International Comparative Law Faculty).

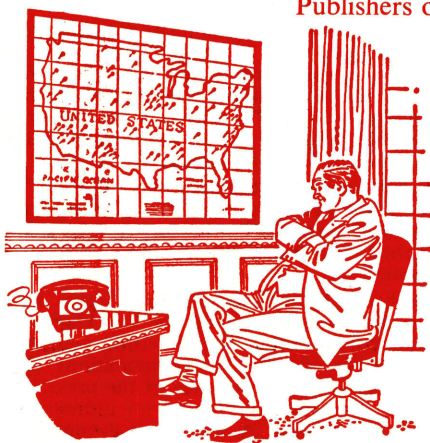
During the present academic year Dr. Hall gave the first of a lecture series to be given at Georgetown University in celebration of their 175th anniversary. He also gave the 1963 John F. Murray Lecture at the University of Iowa. In the Murray Lecture, he took issue with the current movement toward the adoption of the irresistible impulse theory as a defense to the commission of criminal acts by an accused asserting the defense of insanity.

Professor Hall wrote an article for the October, 1963 issue of the *American Bar Association Journal* in which he suggested national seminars for judges in which scholars and various experts might participate.

## INDIANA UNIVERSITY ALUMNI ASSOCIATION

Publishers of the *Indiana Alumni Magazine*  
SCHOOL OF LAW ALUMNI ASSOCIATION

Publishers of THE "I" WITNESS



Note to inactive former members only!

We're sitting here thinking of what we can do to convince you that you should be an active member of the Indiana University and School of Law Alumni Associations.

**WE THINK YOU KNOW WE NEED YOU.** You also know it only costs \$6.00 per year for a dual membership and your contribution to the Working Fund.

The need for alumni support was never greater than it is today. Alone, not many of us can do much but when we pool our \$6.00 through Association membership much can be accomplished. How about it!

Send Your Membership Payment to:  
THE I. U. ALUMNI ASSOCIATION

G-17 Indiana Memorial Union, Bloomington, Indiana 47405

## Professor Grimes Has Surgery

Professor John Grimes was taken to the hospital on April 13 for minor surgery and thereby forced to discontinue his teaching activities for the remainder of the academic year 1963-64. Professor Grimes will return to the Indianapolis Division in time for the summer session scheduled to begin on June 20, 1964.

This year Dr. Hall serves as a member of the Fulbright Committee on Law to assist the Department of State in selecting American legal scholars to teach or do research abroad; he is a member of the Social Science Research Council's committee on political and legal philosophy scholarships; and he has just been appointed for a three-year term as Director of the American Foreign Law Association, which now has a membership of over 600, most of which are engaged in international practice.

The record speaks for itself and proves beyond a reasonable doubt that as a teacher, lecturer, and author, Jerome Hall is both an extremely industrious and valuable member of the School of Law faculty.