

Washington Law Review

Volume 12 | Issue 4

11-1-1937

Law School Association Banquet

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Recommended Citation

anon, Editorial Notes, *Law School Association Banquet*, 12 Wash. L. Rev. & St. B.J. 294 (1937).
Available at: <https://digitalcommons.law.uw.edu/wlr/vol12/iss4/4>

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WASHINGTON LAW REVIEW

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STATE BAR JOURNAL

*Published Quarterly, in January, April, July and November of Each Year,
by the Washington Law Review Association, at the Law School
of the University of Washington. Founded by John T.
Condon, First Dean of the Law School.*

SUBSCRIPTION PRICE: \$1.20 PER ANNUM

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EDITORIAL NOTICE

With this issue Mr. Eugene C. Luccock becomes Editor-in-Chief, taking the place of Professor Alfred E. Harsch, who is on leave of absence doing extensive research in the field of real property at the Law School of Columbia University.

Law School Association Banquet

The annual banquet of the students of the University of Washington Law School was held Friday evening, December 3, 1937, at the Meany Hotel. Mr. Ned Hall was general chairman, under the general supervision of Mr. Wayne Wyman, who is president of the Law School Student Body. Governor Clarence D. Martin

sent his regrets, being unable to attend. The guests of honor were the justices of the Supreme Court of the State of Washington, and the Hon. Mr. Justice McDonald of British Columbia. Justice McDonald delivered the principal address of the evening. Mr. Stephen F. Chadwick of the Seattle Bar was the toastmaster. Other speakers were Chief Justice Steinert and Justice Simpson. Special entertainment was provided by the Varsity Quartet, and the University of Washington Pep Band. A large number of the members of the State Bar and Superior Court attended, as well as the student body of the Law School, making a capacity crowd of over three hundred. Dean Faulkner announced that Professor Thomas Reed Powell, of the Harvard Law School, will teach constitutional law during the summer session of 1938.

COMMENTS

PHYSICIANS' AND HOSPITALS' LIENS ON TORT CLAIMS FOR SERVICES RENDERED INJURED PARTY

The 1937 session of the Washington Legislature added the medical and allied services to the selective groups whose compensation is protected in part by statutory liens. Chapter 69 of the laws of that session awards a lien to operators of hospitals, licensed nurses, practitioners, physicians and surgeons rendering service "for any person who has received a traumatic injury."¹ The lien is upon "any claim, right of action and/or money to which such person is entitled against any *tort feasor* and/or insurer of such *tort feasor*". The amount of the lien is the "value" of the services, plus costs and such reasonable attorney's fee as the court may allow, incurred in enforcing the lien. The lien does not attach to claims under the Workmen's Compensation Act. The total amount of the liens cannot exceed twenty-five per cent of the "award, verdict, report, decision, decree, judgment or settlement."²

Lawyers, apparently, are not the only ones who sometimes feel the need of protection against unfaithful or indigent clients. But so far, in Washington, in handling personal injury business, they have been content with protection afforded by the contract of employment and their control over the litigation and settlement negotiations. A lawyer in this state has no lien on his client's cause of action. Some corresponding measure of protection is given the lawyer by his lien on money of his client coming into his hands, or on money in the hands of the adverse party to the action.³ But his contract of employment does not protect him against settlements directly with his client unless he has given

¹Session Laws, 1937, Chap. 69, p. 236.

²*Ibid.*, § 1.

³REM. REV. STAT., § 136, P. C., § 185. Lien on money in hands of "adverse party" only when there is an action pending; *Plummer v. Great Northern Ry. Co.*, 60 Wash. 214, 110 Pac. 989, 31 L. R. A. (N.S.) 1215 (1910). Applicable to personal injury actions; *Smith v. C. R. I. & P. R. Co.*, 56 Iowa 720, 10 N. W. 244 (1881).