

# Washington Law Review

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Volume 20 | Number 2

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4-1-1945

## Notice Relating to Changes in Rules of Procedure; Report from the Tacoma Bar Association; Opposition Voiced Against Senate Bill 56; Notice of Hearing on Petition for Reinstatement

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### Recommended Citation

anon, State Bar Journal, *Notice Relating to Changes in Rules of Procedure; Report from the Tacoma Bar Association; Opposition Voiced Against Senate Bill 56; Notice of Hearing on Petition for Reinstatement*, 20 Wash. L. Rev. & St. B.J. 125 (1945).

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# STATE BAR JOURNAL

*Published Quarterly by Washington State Bar Association*

EXECUTIVE OFFICES 655 DEXTER HORTON BUILDING  
SEATTLE 4, WASHINGTON

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## BAR BRIEFS

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### NOTICE RELATING TO CHANGES IN RULES OF PROCEDURE

William D. Mitchell, chairman of the United States Supreme Court Advisory Committee on Rules of Civil Procedure for the Federal Courts throughout the United States, announced that a meeting of the committee was to be held in the Supreme Court Building, at Washington, starting on April 30.

A considerable number of amendments are pending before the committee changing in various particulars some of the procedural rules which have been in effect since September, 1938. Chairman Mitchell states that during May the committee will present to the Supreme Court the committee's recommendations regarding the pending proposals, so that the Supreme Court may give them consideration before the June adjournment. Final action by the Court on the committee report is not expected until next fall.

Judge George Donworth of the Seattle Bar Association is a member of the Advisory Committee, and is attending all of its sessions.

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### REPORT FROM THE TACOMA BAR ASSOCIATION

It is reported that at the present time there are one hundred twenty active members of the Tacoma Bar Association. This does not include all the lawyers in Pierce County, as there are some who do not belong to the local association.

At the close of the fiscal year, the secretary's report shows that twenty-five members were serving in the armed services of the United States.

During the past year two of the members, Carless O. Brown and Kenneth A. Roegner have been honorably discharged and have returned to the active practice of law.

Frank Hale, who has been serving as a paratrooper on the Western front, has been wounded in action during the campaign to break the Seigfried line. Mr. Hale entered the service as a private, attended training schools and was advanced to the rank of first lieutenant.

Lieut. Samuel L. Crippen was wounded in the course of enemy action while he was stationed on Leyte Island and was confined to the hospital for two months. He has been transferred to the Naval Hospital in Seattle and expects to go back to active service in the near future.

Commander Robert W. Copeland has been actively engaged in the service in the Pacific and had a ship, which he was commanding, sunk during operations in Japanese waters. He was rescued after floating on a raft for more than fifty hours and is now back in active service.

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The following is a list of attorneys for whom the Bar Association has no current mailing addresses. It is believed that all set forth on this list are in the service and if anyone has information as to their service or home addresses would he please communicate it to the office of the Washington State Bar Association.

Willard Bungay  
 M. E. Casey  
 G. B. Chamberlin  
 Paul A. Clausen  
 Robert E. Lee Conner  
 Vern Countryman  
 William G. Daniels  
 Ralph Derr  
 Robert P. Dwyer  
 Norman A. Ericson  
 Herman Estes  
 Anthony J. Felice  
 Tyrone Gillespie  
 Glen W. Halvorson  
 Warden Hanel  
 Virgil E. Irwin

Joe L. Johnson  
 Henry M. Kaye  
 Owen L. Knowlton  
 Kenneth R. MacArthur  
 Jack R. MacDonald  
 William J. Millard  
 Earl K. Nansen  
 T. H. Nelson  
 Harry T. Nordlund  
 John J. O'Connell  
 John J. Oldfield  
 Thomas B. Prince  
 Lee J. Reynolds  
 Chas. J. Ribar  
 Phillip Greeley Sheridan  
 George John Toulouse, Jr.

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### OPPOSITION VOICED AGAINST SENATE BILL 56

Senate Bill 56 has been the cause of more resolutions than "January 1." Hardly a bar association in the state has resisted the urge to memorialize its opposition to the inclusion of the barrister which the 39th Legislature seems to deem to be indispensable to the Bar. We do not have space to print verbatim all of the resolutions which have been passed by bar associations throughout the state, but there have been referred to the board of governors a great variety of petitions registering adamant opposition to the admitting to the fraternity without legal education or examination, that certain class of people, which class at the moment, seems to consist of one.

The Whatcom County Bar Association's resolution reads, in part, as follows:

"WHEREAS, All attorneys now practicing before the bar of the courts of the state of Washington have conformed to all requirements through years of study, preparation and training; and

"WHEREAS, A measure was enacted by the Legislature of the state of Washington at the session just ended, which would admit to the practice of law a person meeting its conditions. In some instances abolishing all educational, moral and ethical tests; and

"WHEREAS, such abolishments of the standards established would tend to bring the entire bar into disrepute and work great injury to the entire judicial system of the state of Washington;

"NOW THEREFORE, BE IT RESOLVED . . . etc."

The Yakima County Bar Association spurning any such veiled references and murky innuendo gives credit where credit is due, but indicates that, in its respective opinion, the accomplishments of a virtuoso are not necessarily those of a solicitor or proctor. The exact expression is as follows:

"WHEREAS, No person has ever served for six regular consecutive sessions of the State Legislature as the speaker of the House or president of the Senate during the entire history of this state, except the Honorable Victor A. Meyers, the present lieutenant-governor of the state of Washington; and

"WHEREAS, The object and intent of this statute is to authorize the Supreme Court to admit Lt. Gov. Meyers to the practice of law and to membership in the Washington State Bar Association without examination or inquiry concerning his qualifications to practice law; and

"WHEREAS, LT. GOV. MEYERS, although a man of good character and of considerable political prominence, is in private life a musician by profession and is without legal education; and

"WHEREAS, the Yakima County Bar Association is opposed to the admission of persons to practice law in this state not properly qualified, and believes that the admission of such persons will inevitably tend to lower the standards of the legal profession and bring the legal profession into disrepute; etc."

In various ways and by devious expressions other associations have managed to convey the thought that the undoubted versatility of the person in question is not necessarily a qualification to admission into the inner sanctum of professional advocacy. That the various conclaves, which have met to discuss this situation, were not unmindful of the future potential repercussions is indicated by the following typical extract of the resolutions:

"WHEREAS, Under the constitution of this state persons admitted to the practice of law are eligible for appointment or election to positions upon the bench of this state, and there-

fore any person admitted to the practice of law under this statute would then be eligible to be appointed or elected a judge of the superior or supreme court; and

"WHEREAS, This Association believes in the principle of equal rights to all and special privileges to none and is therefore opposed to the giving of the special privileges of practicing law to persons, . . . etc."

That there is no personal animus against the lieutenant governor or the desire to exclude him to share in the real or fancied perquisites of an attorney at law is made amply clear by the closing paragraph of the Yakima Bar Association's resolution, which is as follows:

"NOW THEREFORE, BE IT RESOLVED, That the Yakima County Bar Association respectfully requests and petitions the board of governors of the Washington State Bar Association to take such steps as may be necessary and proper to call to the attention of the supreme court of the state of Washington the views of this bar association and to oppose the admission of Lt. Gov. Victor A. Meyers to the practice of law in this state, unless and until he shall possess and exhibit to the board of law examiners the same proof of his qualifications to practice law that are required from other applicants."

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#### **NOTICE OF HEARING ON PETITION FOR REINSTATEMENT**

Notice is hereby given that the petition of Julius Shain for reinstatement to membership in Washington State Bar Association has been filed and that said petition will come on for hearing before the board of governors of Washington State Bar Association at its meeting to be held in the executive offices, Seattle, Washington, at the hour of 4:00 p. m. on the 19th day of July, 1945.

Mr. Shain was disbarred by an order of the supreme court from practicing in this state on January 6, 1939, after conviction in the King County superior court on May 20, 1938, Cause No. 19673, of tampering with a witness, a gross misdemeanor under *REM. REV. STAT.* § 2363.