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## Report of the President

Del Cary Smith

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the duty of doing this? Can't we discuss in the presence of children our partisan differences, without this intense hatred that's present? What is the reason that we have twenty-five million people that won't vote, if it isn't that there is no respect for Government?

Ladies and gentlemen, an astute influential old banker in Spokane, who has passed on now, once said to me, "You know, Judge, lawyers run the world," and I said to him, "Mr. Rutter, why do you say that?" He said, "The reason is that they can talk." Now, he was sincere about it. He meant that. They could sell the ideas that they had.

Lawyers are the disciples of order. In the courtroom they know that if they are to prevail, that if they are to present in the best manner possible the case that they have, they must have order. There must be order on one side and there must be order on the other side, and they—above all things—respect the office. That's where their respect goes and not to the man. If we could do that for our children, wouldn't we be doing a wonderful service?

I am leaving it as a thought to you, whether something of that kind shouldn't have the honest and the earnest effort of lawyers.

Harvard University and Columbia stand out as institutions of learning and will you tell me why out of those two institutions of learning you should have produced a Hiss or a Chambers?

Now, there is something wrong in our teaching. We have got to start very soon to give respect to the office, so that we may implant respect into the hearts of our little children. So that when they grow up to be twenty-one years of age, they will want to come in and participate in government and we won't have twenty-five millions of voters that won't come near the polls.

## REPORT OF THE PRESIDENT

By DEL CARY SMITH

Since the organization of the Washington State Bar Association under the integrated Bar Act our Association has gone forward along sound and progressive lines, in step, I believe, with the American Bar Association, after which many of its activities have been patterned.

During the past year no lawyer has been called upon for service to the Association who has declined, and I hasten to add, no lawyer has called upon the Association and particularly its efficient executive staff in the Seattle office, who has not received prompt and courteous atten-

tion. For all of this I wish to extend on behalf of your officers our deepest gratitude.

During the past year all standing and all special committees of the Bar have functioned most admirably. If in this brief report I should not call off the membership to all of the individual committees, it is not because their work has not been important and appreciated, but because of the additional fact, that some of the committees have been called upon and have responded most unselfishly to greater demands upon their time and to larger tasks thrust upon them.

I cite as an instance our Public Service Committee under the chairmanship of Eugene A. Wright of Seattle. In the report of this Committee, which is available to you, are contained all of the facts relative to their work during the past year. Of course, you have noticed in the main lobby that very outstanding exhibit which implements their work. The contacts made with the public through radio, television, pamphlets and newspaper articles, have, I feel, gone a long way to increase, where necessary, the confidence of the public in lawyers as a group.

In past years it has been a popular pastime among certain publishing houses and moving picture makers to depict the lawyers and the courts in anything but a favorable light. Some of this may be our fault, and yet I feel that our Public Service Committee is doing an important job in ameliorating this deplorable situation. As Judge Medina so aptly said last year at Yakima, we shall never get anywhere telling the public about what we do for the public welfare: the vigilance of our committees, the midnight oil burned while we prepare reports attacking unwise proposed legislation, our representation without compensation of indigent persons charged with crime, our support of and participation in legal aid societies and so forth. "That," said Judge Medina, "is the wrong approach and it is unsound because human nature will never change, and you will never get anywhere telling people what a wonderful fellow you are."

It is only when you approach the administration of justice (and after all, that is what we are all interested in) as a great cooperative effort, in which the public participates at least for a time, as officers of the court, as we are, that a better understanding of the lawyer and his place in society is reached.

A large part of the distrust of lawyers is, of course, engendered by the few who forget their oaths as attorneys and their fealty to the

canons of ethics, and it is because of the dereliction of these (and their percentage, I am sure, is not as great in the legal profession as in other walks of life) that the great majority of hardworking, sincere lawyers are criticized.

The new custom which has been established of publishing the opinions of our Legal Ethics Committee in the State Bar News has, I believe, been helpful to the attorneys as a whole. We know that as a result this Committee has been called upon by many individual lawyers to give their opinions on matters of professional ethics affecting that individual. This, the Committee, composed of the three immediate retiring presidents of the Bar, has been very happy to do, and although it has increased the burden of their work, it has been worthwhile because it is for the advancement of our profession.

The report of the Advisory Committee on the State Code shows conclusively the mammoth task that they have performed. The thanks of this Association to this hardworking group for the many hours that they have devoted freely to the advancement of the profession are certainly due.

Perhaps one of the outstanding committees, and I think you will agree with me in this statement, is the Committee on Legal Institutes and Continuing Legal Education, which has been under the chairmanship of Clarence Coleman of Everett. Institutes, all of which were received most enthusiastically by the Bar, were held during the past year in Olympia in December; in Tacoma in February; in Richland in April and in Spokane in June. In addition to this the Committee prepared and has ably presented the day and a half program which has just been concluded for this convention.

The Bar of this State owes a great debt of gratitude, in my opinion, to Mr. Coleman and his associates.

Since the idea of legal institutes and continuing legal education began, I think it is safe to say that the attendance at the annual conventions has perhaps doubled.

I have often thought that the lawyer, in this respect, could take a page from the doctor's book. Those doctors who are active in their profession, are constantly endeavoring to increase their knowledge by lectures and specialized study in medical subjects. If, as I have heard from many older lawyers, the field of the practice of the law is being constantly invaded by others, I feel that some of the fault is our own because we have not equipped ourselves to advise the public in the

complex business and tax matters of the modern world. Again, I say, this Committee deserves our unstinted admiration, and I can only express the hope that they will continue to broaden the scope of their activities.

To digress for a moment to a more general subject, as mentioned by your previous speaker, Judge Bunge, September 17 will be proclaimed as Citizen Day in the State of Washington. It is the one hundred and sixty-fourth anniversary of the Constitution, the charter of American liberties in the oldest unchanged government in the world. Our American Citizenship Committee and the Committee on Communist Tactics have both sought to impress upon the people of this State that our form of government has prevailed longer than any other because it guaranteed freedom to the individual under a charter of liberties which could be and has been perpetuated from generation to generation. While the fundamental law of our land has remained unchanged, America today faces a restless world in which constant change seems everywhere the only certainty; a world in which on four continents the forces of ignorance, tyranny and oppression stand arrayed against the forces of reason, of human liberty and law.

It is perhaps as well that we cannot see into the future, but it causes one to wonder if the world is not girding itself for the ultimate struggle to decide the type of civilization, if any, that survives. Against such a somber background it is well that there are still forces in America, of which our Association is one, which believe that our most important task is the preservation and the defense of our body politic, our form of government and our way of life.

It has been said that man does not live by law alone, as he does not live by bread alone. Law is only tolerable to the average person because it makes individual liberty possible. Without law, liberty would soon become license. Liberty is the chief concern of the Bar, as it should be of every democratic government. No better phrase has ever been uttered than that of the Greek philosopher who said twenty-five hundred years ago, "The major problem of human society is to combine that degree of liberty, without which law is tyranny, with that degree of law without which liberty becomes license."

The nations of the world on this side of the Iron Curtain are still pursuing that idea. The history of the western world is itself the history of the development of human freedom. With the Renaissance came the dawn of intellectual freedom; with the Reformation, re-

ligious freedom; with the Declaration of Independence, the Federal Constitution and its Bill of Rights came political freedom; with the industrial revolution and the development of natural science came a degree of freedom, theretofore unknown, from the forces of nature, and the hard and unremitting toil to which the human race seemed to be heir.

The present struggle, world wide in extent, is for economic freedom. Unfortunately, in many countries the earlier forms of freedom attained by the toil and the blood of our ancestors have been sacrificed to the struggle for economic freedom.

The totalitarian state has been pointed to as the panacea for all of our economic ills. Reason, common sense and the virtue of individual effort seem to be in danger of being crushed between the upper and nether millstones of ignorance, intolerance and bigotry on the one hand, and the concepts of the totalitarian government on the other. As Judge Bunge has so aptly remarked, the man in the street seems to have lost a measure of confidence in his Government, particularly as to the executive and the legislative branches. The judicial branch still retains, I fervently believe, the confidence and respect of the great majority of the great American people.

It is to the credit of the Bar that we have such leaders as Judge Murphy, our distinguished guest, and Judge Medina, our guest of last year, who have never failed to realize the relation between law and liberty, between the independence of the courts and the maintenance of our Constitutional guarantees of individual freedom in the age long struggle for popular government. It is only if the American people stand supinely by, that they can lose their intellectual, their religious and their political freedom, and they will not lose it from any force from without, but because of their indifference to their heritage of one hundred and sixty-four years of Constitutional Government under law.

The Bar can render no greater service than to continue to lead in the column of progress toward a happier, more secure future for ourselves and our children's children.

#### SALESMANSHIP FOR LAWYERS

#### AN ADDRESS BY JUDGE WARD RONEY

You and I are very proud and happy to be members of the great and noble and ancient profession of law or else we would not be here,