Report of the Advisory Committee on the Code

Harry Ellsworth Foster
among the lawyers in a smaller community. There must be a place known to the people of the community, where they can go as a matter of right, without embarrassment, and where their needs will be taken care of.

With respect to our program as outlined in our report, we intend to ask each of the local bar associations—and we have asked to proceed in that way because, as I have said, it is a local problem—to answer certain questions which will give us a basis for determining possible action in each particular community, and then we will submit to you a suggested plan of action.

I urge that when you are called upon in your local groups to aid this program through the questionnaire, and through the implementing of a statewide program tailored to the needs of the individual community, you give your support and your cooperation whole-heartedly to the end that next year we will have more tangible progress to report.

**REPORT OF THE STATUTE LAW COMMITTEE**

*By Ben C. Grosscup of Seattle*

Mr. Ben C. Grosscup, Chairman of the Statute Law Committee, introduced the staff of his committee, Messrs. Richard O. White, Ellis I. Collins, and Lowell McDonald. He reviewed the work of his committee during the past year and the budgetary requirement of the committee for the coming legislative biennium. He indicated that the powers and duties of the Statute Law Committee encompass the powers and duties which would normally be committed to a law revision committee. Mr. Grosscup predicted restoration of the restorable portions of the Revised Code of Washington to the text enacted by the legislature by the closing of the 1959 legislative session.

**REPORT OF THE ADVISORY COMMITTEE ON THE CODE**

*By Judge Harry Ellsworth Foster of Olympia*

The Honorable Harry Ellsworth Foster, Judge of the Supreme Court and Chairman of the Advisory Committee on the Code, supplemented the report of that committee published in the *Washington State Bar News*, Vol. X, pp. 10-11 and recommended that no substantive law revision be undertaken until the work is completed conforming the Revised Code of Washington to the statutes enacted by the legislature. The confusion resulting from the continued supplementation of the
present loose-leaf system and the lack of uniformity in placing the recurring supplements and the disposition of superseded pages was alluded to. Attention was directed to the fact that no experienced law book publisher employs the loose-leaf system in codes.

Hope was expressed that the state would acquire the type for the code in the forthcoming reprinting of a second edition and would thereafter republish the entire body of statute law following each legislative session in a bound volume or volumes, unannotated, to be sold at a moderate price. Such a plan has long been successfully followed in Wisconsin.

He expressed hope that when the present reviser's staff, under the supervision of the Statute Law Committee, has eliminated the fiction from the code and substituted the law that all reliable law book publishers would be invited to consider the publication of an annotated edition. Judge Foster said that the West Publishing Company had sent him, with its compliments, the new 80-odd volume set of West's Annotated Code of California and that he had donated the same to the Law School Library of the University of Washington and that thereafter he had been the recipient of a second set of the same work which he gave to the Law School at Gonzaga University. The bar is invited to examine these sets to see what may be expected in a modern annotated code.

Mr. L. R. Bonneville of Tacoma, a member of the committee, announced his dissent from the report of the committee published in the State Bar News. Mr. Bonneville said that the recommendation of the majority of the committee to invite a private publisher to publish an annotated code was predicated upon three assumptions: (1) that there was widespread dissatisfaction with the loose-leaf system; (2) that there was widespread dissatisfaction with separation of code and annotations, with the code running continuously and the annotations in a separate volume or at the end of each title; and (3) that one of the larger law book publishers would supply better annotations. Mr. Bonneville believed these assumptions were false. It was his opinion that most younger lawyers preferred the loose-leaf system, liked the separation of annotations from statute text and that the dissatisfaction with the two sets of annotations now available was not too great. His last objection to the committee's recommendation was that a new code, privately published, would render the investment of lawyers in the loose-leaf code and annotations obsolete and useless after two years.