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War and a Consolidated Bar

Committee Consolidated Bar
Indiana State Bar Association

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WAR AND A CONSOLIDATED BAR

If the present war is to last for another year or longer, an organized effort will be required on the part of every group whose members are vitally concerned in the outcome, but who are uncertain, individually, as to how their interest can be translated into acts.

Lawyers are patriots. They realize that their profession is the direct beneficiary of our American way of living, with its foundations laid in the rights of the individual and the subordination of the powers of the state to the demands of constitutional freedom.

But how can we, as lawyers, express our patriotism? If each acts as a free lance, striking out in isolated zeal, he may accomplish something, but only a fraction of what he might achieve through organization; for "the strength of the pack is the wolf, and the strength of the wolf is the pack." In other words, "in union there is strength" applies as much to bars as to battalions.

This being true, if a valuable contribution by the legal profession in Indiana to the present war effort can be achieved or augmented by a thorough-going consolidation of the personnel of the bar, with its variety of talents, tastes, personalities, equipment, ideas, and opportunities for service brought together and directed into definite channels, all aiding the war activities, then it becomes not only the patriotic duty but the high privilege of every lawyer to lay aside any prejudices and preconceived, unfriendly ideas as to what a consolidated bar means, and bend his efforts to make consolidation a fact, not with the view of benefiting himself or his profession (although these are inevitable consequences) but with the desire to do his part in helping to wage and win the war.

Under present conditions, with only 40% of the bar enrolled in the State Bar Association, and with local bar organizations functioning largely as mere social bodies, nothing worth while can be accomplished in war work, because of lack of funds, lack of membership and want of a specific program. With the 4000 lawyers of Indiana combined into a selfgoverning, consolidated bar, the way will be open for mobilizing the legal profession into a body capable of render-

ing yeoman service to the war agencies and to the public in matters pertaining to the national struggle.

How can this aid be accomplished? We list ten avenues wherein it can become effective, if the bar operates as a unit:

I.

CO-OPERATION WITH THE AMERICAN BAR ASSOCIATION

The American Bar Association has set up an able committee on "Co-ordination and Direction of War Effort," which is doing good work. The Indiana Consolidated Bar would co-operate with that committee, availing itself of the committee's ideas and suggestions, and distributing its literature.

II.

LEGAL AID TO DRAFTEES.

Many men who are drafted are almost wholly ignorant of their rights under the present war regulations. They need aid, but do not know where to obtain it. The Consolidated Bar, acting through its own sections and committees, and with the aid of local bar associations, can provide for that aid, and see that selectees are informed as to when and where they can receive it. If an army camp is near, provision can be made for members of the local bar to spend part of a day at the camp, for consultation with army men who need legal advice.

A further valuable contribution will be the literature which the Bar, in co-operation with the several selective service boards, will send to selectees with their classification notices, explaining what legal assistance facilities exist and where they can be availed of.

III.

WAR AID TO THE PUBLIC

The public knows little about the federal statutes which have been enacted with reference to the legal rights of men in the service. May they be sued in the civil courts? Are their business relations in anywise protected during their absence? May forfeiture be declared against them on default of part performance of their agreements? These and a multitude of other questions the public, especially the fam-

ilies of men in service, would like to have answered. The Consolidated Bar could run a series of articles (now in print and available for publication) in the newspapers of the state, providing information upon these important matters.

Nor is the public any better informed upon the subject of civilian defense; its measures and methods for protection of the lives and properties of civilians engaged in defense activities.

If such a one is injured by enemy action or accident, while engaged in defense work, is he protected by any government allowance? What are the legal duties, responsibilities and rights of those enrolled in civilian defense organizations? There is literature on these topics which the Consolidated Bar could publicize through the press, and by mail distribution.

IV.

MOBILIZING LEGAL MAN-POWER.

The Bar, through its own agencies and those of local associations, can prepare a roster of Indiana lawyers available for emergency action, or for war activities in a variety of directions. This would be accomplished through co-operation with the United States Man-power Commission.

V.

CONSERVATION OF ABSENTEES' PRACTICE.

Changes in the bar are rapidly occurring. Law firms are being dissolved or re-aligned, and many a young lawyer, having begun to acquire a practice, must leave it to shift for itself. Men who are rendering direct service to the country should not be penalized by the loss of their practice, nor should those who remain at home profit by the sacrifices of those who go. The Consolidated Bar could cope with that situation, and safeguard the absentee, while assuring his clients of adequate legal service until his return.

VI.

CONSERVING MAN-HOURS IN COURT.

The time may come when every hour of productive time wasted, will be a serious loss to the war effort. The Courts present a fertile field for wasting man-hours of witnesses

and jurors, who might be rendering valuable service elsewhere, on farm or in factory. The Bar can devise ways and means for reducing this wastage to a minimum, particularly by furthering the pretrial procedure, and helping Courts to clear their dockets of groundless cases.

VII.

PUBLIC INFORMATION PROGRAM.

The younger members of the bar throughout the country have performed a notable service in stimulating public discussion and developing public opinion on matters wherein the legal profession is interested and on which the people need enlightenment. The junior bar members are now being taken, in ever increasing numbers, into the armed forces. This leaves the subject of public information unprovided for, unless an organized bar assumes it. Now as never before the public needs the services of the bar in public discussion, by addresses or popular forums, on civilian defense; the American way of living; what we are fighting for; what kind of a peace is ahead of us; how can we pass from a war-time to a peacetime basis, without social and economic dislocation; how much of the new government regulation should persist after the War:—that service the public is not now receiving.

VIII

LEGAL ASPECTS OF BLACK-OUTS.

A new branch of judicial inquiry may arise when black-outs become common. At least one Bar Association (District of Columbia) has created a "Committee on Blackouts," which has prepared a valuable report on the legal problems arising from these protective measures. The research matter contained in that report would be available to a like committee of an Indiana Consolidated Bar, and enable it to make a real contribution to public and professional information.

IX.

WAR BOND SALES.

A Consolidated Bar of 4000 members could perform a public service of great magnitude by bringing pressure to bear upon its members to invest part of their fees in war

bonds, and by itself investing its surplus funds in those securities. The bar as a whole is now making no contribution to the War Bond sales campaign.

X.

PATRIOTIC CELEBRATIONS.

A united bar could join with other organizations in stimulating interest in the national holidays and days of public celebration such as "I-am-an-American Day"; Memorial Day; Flag Day; Independence Day; and Labor Day. The latter could be so arranged that it would not represent one group only, but provide recognition of the spirit of loyalty and dedication of all groups to the war in which labor is having so important a part.

This ten-point program is feasible only when the Indiana bar is united. It would please Herr Hitler to know that lawyers are divided among themselves, that they will not combine to speed his downfall, and that they would rather forego an opportunity to contribute their part in saving their country and its civilization than surrender some of their preconceived and erroneous notions as to what bar unification means.

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of the Indiana State Bar Association.

