American Bar Association Notes

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National Bar Program

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Evident to all who attended the recent Los Angeles meeting of the American Bar Association was the sentiment for a more representative national organization. Resolutions were passed suggesting a broader base for the election of officers and proposing an organic connection between local, state and national bar organizations. A House of Delegates, possessing legislative functions, was favored by a large vote. It was specifically announced that these actions were purely of an advisory nature. The election of the President of the Association was another manifestation of the desire for a direct voice in the government by the Association by members attending the convention. It resulted in the exciting spectacle of a "walking vote" by those present at the final session, the voters filing past the three tellers. For the first time in many years the president was elected in a contest which was carried to the floor of the convention.

The discussion of the organization problem was most timely. Coordination has come of age. It was more than twenty years ago that the Wigmore committee was appointed to study ways and means to extend the scope and influence of the association. This first movement for closer connection with state and local associations produced no concrete results, but was the beginning of an almost continuous line of thought and work on the subject down to the present time.

In 1916, when Senator Elihu Root addressed the first session of the Conference of Bar Association Delegates, he said:

"The associations which you represent have been asked to send you here because of a manifestly wide feeling on the part of members, both of the national association and of the state and local associations, that the bar of the country is not exercising the full influence to which it is entitled in the development of our law and institutions, and that the reason therefor is defective machinery."
This feeling exists today and is still a keynote of the movement for a more perfect organization. An improved delegate system or a revamping of the powers and method of selection of a representative assembly of delegates from the states is of no importance in and of itself. But it is vastly important in the effect it will have on what the bar can do and the influence which it will have as a result.

One session of the Los Angeles meeting was devoted to a discussion of “Better Organization of the Bar.” Four plans proposed by the Coordination Committee were presented. These were:

1. Continued emphasis on National Bar Program as a means of obtaining broader interest, larger membership, and more unified action on the part of lawyers, but without undertaking present changes in the structure or functions of the American Bar Association.
2. Improving the structure and organization of the American Bar Association along its present lines and traditional development.
3. Building a much larger and more representative and inclusive membership for the American Bar Association by making the Association of greater service to lawyers in their profession.
4. Federalization of the American Bar and the creation of a House of Delegates as the governing and policy determining body.

There was no doubt the assemblage favored the last of these plans, and when Mr. Harry P. Lawther, member of the Executive Committee from Texas, offered a resolution proposing that amendments to the Constitution and By-Laws of the Association providing for an organic connection between the American Bar Association and the several state and local associations be prepared for future presentation at the next meeting, it was enthusiastically adopted. Although the speakers universally praised the National Bar Program and pointed to its success, there was no disposition by the assembly to adopt a temporizing policy consisting only of a continuation of that program or to be satisfied with a coordination only in terms of work.

Plan Four was favored by a great majority, and it was evident that they wished the delegates provided for in that plan to be chosen in a representative manner in each state, instead of by the members of the American Bar Association from that state who happened to be attending the convention.
The General Council of the Association, with the Executive Committee, Vice Presidents and the Coordination Committee, will cooperate in planning for an improved national organization of the bar. At a meeting of these groups, which will probably be held in Chicago in January, plans will be presented and discussed, preliminary to a large and important meeting of delegates from all bar associations, which will be held some time during the spring.

The time is ripe for action. The Carnegie Corporation by a grant of $50,000 for this purpose demonstrated its confidence in the ability of the bar to organize for more concerted and effective action in improving the administration of justice. Through two years of effective work on a National Bar Program, state and local associations of the country have shown their desire for united effort.

Under the leadership of the newly elected President, Honorable William L. Ransom of New York, definite results can be looked for during the coming year. His program is clearly set forth in the following words from his short speech of acceptance at Los Angeles:

"I am one of those who have long believed that it is a high privilege, perhaps the highest privilege, to be an American lawyer, and the highest privilege of the American lawyer, as I see it, is the privilege and the duty of taking part in the organized bar and making it an instrument of public welfare in the United States. To my mind, this American Bar Association belongs to the practicing lawyers of this country and this American Bar Association can and will be made whatever the lawyers of this country wish it to be.

"At the present time, I believe that they want a better and more representative bar organization throughout the country, an organization that is under the democratic control of the lawyers of the whole country, with machinery which makes it responsive to their wishes, alert to their needs as a profession, and entitled to speak their views with an authoritative voice because the machinery of organization provides the means whereby the lawyers may make known what they desire their Association to do.

"Some of you may have caught the phrase in the last letter of Lawrence of Arabia to his biographer, when he said, as I recall it, that progress is made not by a single genius but by a common effort. At this time and during the coming year, may we have a continuance and an acceleration of the common effort that is being made by the lawyers of this country in order to make the American Bar Association, in relation to the other organized bar associations of the country, a real aid to the profession and the public."
“During the coming year, I pledge you that I shall devote myself unreservedly to your work. I shall need your advice and your suggestions. I shall hope to work closely with the General Council and with the committees and the sections of this Association. Any member of this Association may feel free to send me his views on any subject that relates to the Association with an assurance that those views will be given consideration on their merits.

The great thing that the American Bar Association needs from my experience, on the basis of what I have observed in your committees and Sections, is to know what the lawyers of this country really want about the organized bar of America. If errors are ever made, it is because that is not ascertained and not because of any desire to go contrary to the opinion of the bar of America.

“I say to you that I shall be glad to go to such State Associations as want me to come, and I shall go not so much to speak as to listen. During the coming year I pledge you that I shall do everything in my power to clear the way to bring about as soon as possible, if the lawyers of this country really want it, a better organization of the bar, that will speak not the views of any individual, not the views of any group or committee, but the ascertained and mature judgment of the profession, and in my judgment there is no better voice for the future of America.”