



# The Wayne Advocate

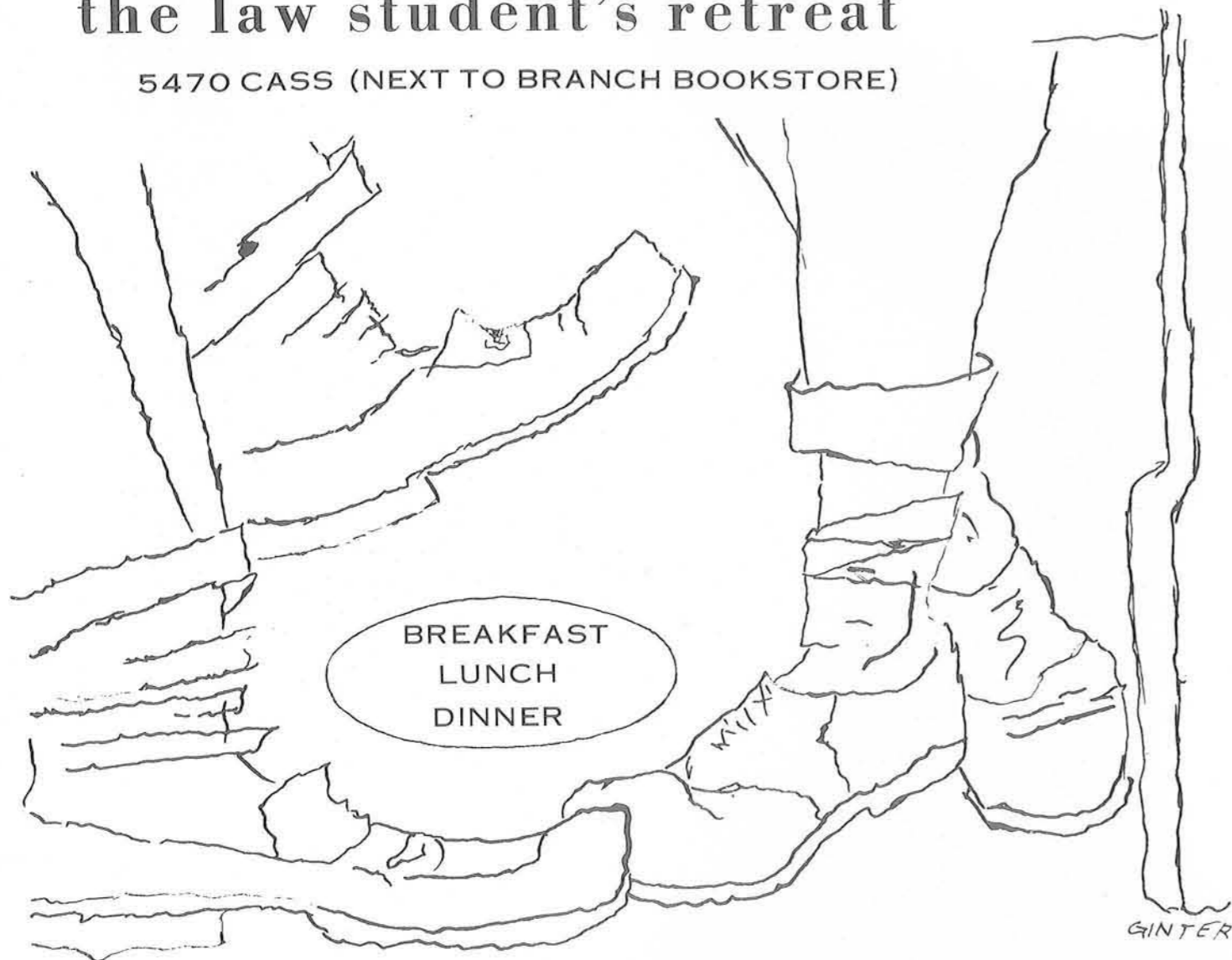
Volume X, Number 2

December, 1961

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## Dedication

*In view of his forthcoming retirement and in recognition of his long service to the University, this issue of the Wayne Advocate is dedicated to Professor Norbert D. West. Every law student who has graduated from this Law School in the last fifteen years has known Professor West well and shares with us the realization that Professor West's retirement will result in a diminution of the vitality of our Law School.*

*Professor West's contribution to the education of lawyers has been important. He has helped many seniors to acquire that basic skill in expression, in draftsmanship and in legal writing which is fundamental to the practice of law as for any other aspect of professional, legal activity. In addition, he has helped law students learn fundamental aspects of various phases of the law and has brought to his teaching the enormously valuable background he acquired from his Viennese training as a lawyer.*

*His talents in comparative law are much in demand now, and he has considerably enriched the Law School's intellectual offerings by providing a course in Comparative Law. In these days when so much of interest and importance concerns foreign legal developments, we have learned more than ever the value of Professor West's association with us. Although we recognize he well deserves the increased opportunities for both increased leisure and varied professional activities which the semi-retirement into which he will now move can offer, we are loathe to think that we shall not be able to drop into the library for a few minutes chat on any one of innumerable legal problems and benefit from the advice and experience of Professor West.*

*Professor West moves now only to semi-retirement for he intends to continue his academic pursuits by teaching abroad, as well as enjoying some leisure here at home. On this occasion, we all join in wishing Professor West full success in his future plans.*

D. H. Gordon  
S. I. Shuman



# The Wayne Advocate



(Formerly The Wayne Law Journal)

VOLUME X, Number 2

DECEMBER, 1961

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Volume 8      Number 1

Survey Issue \$2.00

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1961 Annual Survey of Michigan Law  
WAYNE LAW REVIEW  
Wayne State University Law School  
Detroit 2, Michigan

# The Dean's Report

### LAW DAY AND ALUMNI HOMECOMING DAY

Early as it may seem, we are now preparing for our annual Law Day and our annual Alumni Homecoming Day to be held on Friday and Saturday, May 4 and 5, 1962. The Hepburn Memorial lecturer this year is Robert Allen Leflar, Distinguished Professor of Law, University of Arkansas, who will deliver the principal Law Day address and, we hope, will stay over for the Alumni Homecoming luncheon.

Professor Leflar is a man of many accomplishments; just a few of his activities are given here. He was Associate Justice of the Supreme Court of Arkansas, 1949-51; Arkansas Commissioner on Uniform State Laws since 1945; he is a Member of the Board of Directors of the American Judicature Society; and former Dean of the University of Arkansas School of Law. He is currently, and has been for sometime, Director of the Appellate Judges Seminars held at New York University during the summer months. We are indeed proud and pleased that he will be with us on these two significant occasions.

The Law School Alumni Association Board of Governors has recommended that the Alumni Day program be expanded. In accordance with this recommendation, an afternoon panel discussion has been scheduled. A general description of the program is enclosed with this issue of the *Wayne Advocate*; detailed information will be sent to you after the first of the year. All of us at the Law School are looking forward to another successful and pleasant reunion on Alumni Day—plan to come—Saturday, May 5.

### LAW SCHOOL

This year we had an increase in the number of applications for admission to the school. In fact, we had to establish a "waiting list" in June, but we were able to accommodate all of the qualified students who wished to enroll. This means that we are somewhat crowded for space since we have 104 people in the day school freshman class—something of a strain on our facilities!

Next year the University will be on the quarter system and at the Law School we are now holding a series of faculty discussions relating to ways and means of making the change-over. I hope to give you a summary of our discussions in my next report to you.

The Law School Placement Committee has been doing yeoman service, and we are grateful for all the cooperation we have received from so many of our alumni. We want to continue improving our placement program and will be glad to have suggestions and comments to aid us in this improvement. I believe our graduates are well prepared to enter the practice of law and I recommend them to you.

### BUILDING FUND DRIVE

Benjamin Burdick, a Member of the University Board of Governors and Chairman of the Law Building Fund Drive is preparing a report on the progress of the drive and you will be sent a copy when it is ready. About \$15,000 has been collected to date. In November the University Board of Governors moved our proposed building to second place in construction priority. We are getting closer to the achievement of our goal.

### WAYNE LAW REVIEW

The Annual Survey number continues in stature and in circulation. We have had very enthusiastic letters and comments from judges and lawyers, and we firmly believe that Michigan lawyers in particular cannot afford to be without a copy of the Survey. A subscription is well worth your investment.

To all of you, students, alumni and other friends of the school, sincere best wishes for a year filled with good things.

# Accounting Principles and the Law

by BERNARD F. MAGRUDER, CPA (Wis.)

Referring to accounting, Justice Jackson said "...our quest for certitude is so ardent that we pay an irrational reverence to a technique which uses symbols of certainty, even though experience again and again warns us that they are delusive. Few writers have ventured to challenge this American idolatry...."<sup>1</sup>

Galileo's statement that Nature is "written in mathematical language" is equally true of accounting. Of necessity, accounting deals with figures which appear definite, positive, and exact even though this exactness is more apparent than real. Experienced accountants recognize that accounting rests on recorded facts, personal judgment, and accounting conventions. It follows that the numbers prefixed by the dollar sign in financial statements are relative rather than exact, and their fairness must be measured against certain basic assumptions and standards.

The accounting profession has adopted, as a standard of proper reporting, conformity with "generally accepted principles of accounting consistently maintained." The conventions are based on a body of postulates, and alternative methods of treatment are acceptable in respect to many important elements in the determination of business income and financial position. The law has had an influence, as well as having been influenced by these principles.

### SOME POSTULATES

Here we will consider some of these basic principles and judicial pronouncements. First, however, it should be clearly understood that decisions are not based solely on the general acceptance of the accounting principles or convention. Seldom have the courts faced the necessity of considering these principles apart from contractual or statutory considerations, and the decisions must not be accepted out of context. From the accountant's viewpoint the major test of accounting acceptability is not to be found in any decision, or principle of nature, but in usefulness. General acceptance implies that the principle serves as a norm or standard among competent members of the profession. This modern concept of accounting philosophy is of the pragmatic school and has been greatly influenced by William James, John Dewey and Justice Holmes. For example, the late George O. May, a recognized leader

in the accounting profession, in discussing what is intended by truth in accounting suggests that accounting rests on a framework of assumptions and these assumptions are accepted as being useful, not as demonstrable truth. This reminds us of the statement of Justice Cardozo, that "...what is critical or urgent changes with the times." Another eminent jurist, Roscoe Pound, expressed a similar thought this way: "I am skeptical as to the possibility of absolute judgment." It follows that the basic postulates on which a discipline rests should be regularly re-examined for continued usefulness.

### INCOME DETERMINATION

In a recent study, the research director of the American Institute of Certified Public Accountants divides accounting postulates into three groups: the first deals with the general characteristics of economic activity in a free economy; the second with "aspects of accounting" which appear of general validity; and the third with assumptions peculiar to accounting. The Journal of Accountancy (September, 1961) cites as an example of the first the postulate that in a free economy goods and services are distributed through a process of exchange; an example of the second is the postulate that accounting data are based on prices resulting from exchanges that either have or are expected to be based on prices resulting from exchanges that either have or are expected to be completed. This paper will consider several examples of the third series.

First, consider the "entity concept." Obviously a set of records that would indiscriminately mix the financial activity of a business firm with the activity of its owners would be of little value in the determination of results, or the formulation of business policies. There are two common methods of viewing the fundamental accounting unit: one is known as the "proprietary" school, the other as the "entity" school. Both recognize the necessity of directing attention to the core venture or enterprise, but one approaches from the viewpoint of the owner or owners, while the other emphasizes the entity itself. The firm is treated as a separate accounting entity and this is true for a sole proprietorship or partnership, as well as the corporation. Legal contradiction of the entity concept, in certain instances, need not lead to conflict or misunder-

standing if considered only within the accountant's frame of reference and with full recognition of differences in the ends sought.

A second postulate known as the "accounting period convention" creates some of the most difficult accounting problems. Within recent years accounting emphasis has switched from the so-called balance sheet approach to income determination. Accountants assume that significant financial reports can be prepared at intervals or periods shorter than the full life of the entity. The need for this assumption is the statutory necessity and the business desirability for periodic reports. Thus the Internal Revenue Code requires annual reporting, while most business firms have found it desirable to prepare statements for even shorter intervals. Except for this necessity, the accounting report could cover the full life of the enterprise and could be very exact. Unfortunately this exactness would only be realized when there was no longer any need for a report. Certain revenues and revenue charges can be measured with a high degree of accuracy; others must be allocated between periods on certain arbitrary assumptions. For this reason, the accountant cannot state that the financial reports are "true," but must confine himself to an expression as to the fairness of the presentation.

### CURRENT CONFLICT

Currently there is a great deal of discussion as to the most significant method of reporting extraordinary charges and credits. Some would record unusual items, material in amount, directly to the retained income account, thus by-passing the income statement. Proponents of this "current operating performance" type of income statement believe the statement is most significant when it reflects current operating performance excluding corrections of the past, and unusual events of the period. Proponents of the "all-inclusive" type income statement insist that income statements for the whole life of an enterprise, when added together, should represent the total net income of the entity. The American Institute of Certified Public Accountants' Research Bulletin No. 43 concludes:

(Concluded on Page Four)



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"There should be a general presumption that all items of profit and loss recognized during the period are to be used in determining the figure reported as net income. The only possible exception to this presumption relates to items which in the aggregate are material to the company's net income and are clearly not identifiable with, or do not result from, the usual or typical business operations of the period." Thus the Institute aligns itself with the "current operating performance" school.

#### GOING CONCERN CONCEPT

Another postulate underlying the measurement of income is known as the "going concern" concept. Lacking evidence to the contrary, accountants assume the life of the entity may be deemed to be of indefinite duration. This principle is closely related to the necessity and desirability of periodic reports. Under normal circumstances preparation of financial reports on a liquidating basis would lack meaning but preparation on any other basis implies continuation. For example, the current practice of depreciating long term assets assumes the entity itself will continue so as to receive the economic benefit of the assets. The "going concern" principle supports the presentation of assets in the statement of financial position at unamortized cost and the practice of charging a prorated portion of the asset cost to the period benefited. Like the "accounting period" convention, the "going concern" principle is a part of accounting measurement rather than of law.

During the past fifty years accounting emphasis has switched from the balance sheet point of view to income measurement. The "realization principle" is a concept of major importance. Accountants recognize revenue only when it is realized. Realization is usually, but not always, recognized on the completion of the sale of goods. Thus, the principle is one of timing by which personal opinion and estimates are reduced to a minimum, since what is reported has been confirmed by what has been done, rather than what could have been done. Mere increment or growth in value is ordinarily disregarded. Decisions in litigated cases have tended to support this accounting concept. Conflict in decisions has resulted from misunderstanding of the principle, or from differences in various statutes. Litigation has frequently revolved around cases involving the income tax or the legality of dividends.

In Eisner v. Macomber<sup>2</sup> income was defined as "the gain derived from capital, from labor, or from both combined, provided it be understood to include profit gained through a sale or conversion of capital assets." The important word here is "derived," which is, in essence, what the accounting profession refers to having been realized. Various state statutes have developed two patterns regarding dividends. Under one, dividends may only be "paid out" of "net profits;" under the other, dividends may be "paid out" of the excess of assets over liabilities and capital stock. When the test is dependent on net profits, the problem of income determination is squarely presented. In LaBelle Iron Works v. United States,<sup>3</sup> it was held that unrealized appreciation could not be taken into account for declaration of dividends. This is in accord with the generally accepted accounting realization principle. On the other hand, in a leading New York case, Randall v. Bailey,<sup>4</sup> it was held that all assets must be taken at actual value whether realized or unrealized. Here it is important to note that Justice Walter was not concerned with the merit or lack of merit of an accounting principle, but with statutory construction. Judge Walter said: "It is to be emphasized at the outset that the question is not one of sound economics, or what is sound business judgment or financial policy or of proper accounting practice, or even what the law ought to be. My views of the business acumen or financial sagacity of these directors, as well as my views as to what the legislature ought to permit or prohibit, are entirely immaterial. The question I have to decide is whether or not an existing statute has been violated." The Randall case illustrates the difference between the basic approach of law and accounting; the court was interested in what the law said, not what it should have said.

#### MONETARY CONCEPT

The last postulate we will consider is the "monetary concept." In accounting, dollars are used both as the name of an asset and a symbol measuring the value of non-monetary assets. The necessity for such a symbol is evident when it is realized that financial statements contain numerous unlike items. To enable the accountant to deal with these heterogeneous items mathematically, it is necessary to employ some symbol for such items as inventories, plant, etc. Despite the fact the dollar has changed in value over time, the accountant assumes such fluctuation may be safely ignored. This postulate is

deeply imbedded in accounting primarily because accounting developed during the exceptional period when fluctuation in the purchasing power of the dollar was not sufficiently important to distort reports of financial position or operating results.

The courts have given little consideration to changes in purchasing power since many of the statutes referring to income determination reflect the thinking of a period when prices were relatively stable. Thus, Justice Stone, in a dissenting opinion in United Railways & Electric Company of Baltimore v. West,<sup>5</sup> said: "Experience, which embraces the past fifteen years of high price levels, and the studies of experts, resulting in the universally accepted practice of accountants and business economists, as recounted in detail by Mr. Justice Brandeis, have demonstrated that depreciation reserve, calculated on the basis of cost, has proven to be the most trustworthy guide in determining the amount required to replace, at the end of their useful life, the constantly shifting elements of a property such as the present. Costs of renewals made during the present prolonged period of high prices and diminishing replacement costs tend to offset the higher costs of replacing articles purchased in periods of lower prices." Unfortunately, later developments have indicated that purchasing power has steadily declined to an extent that has lessened, if not destroyed, the significance of the conventional balance sheet.

#### STUDY GROUP ORGANIZED

A study group was organized in 1948 and published papers by leading members of the legal and accounting professions as well as monetary experts and economists. A majority of this group concluded the monetary principle was subject to criticism, and recommended that significant income figures should be measured by expressing revenues and revenue figures in monetary units of the same purchasing power. Despite many dissents and reservations, these conclusions are certain to exert great influences in future developments in law and accounting. Tradition must not be permitted to prevent us from performing the important task of constantly examining the validity of our presently accepted principles.

#### FOOTNOTES

1. FPC v. Hope Natural Gas Company, 320 U. S. 643, n. 40 (1943).
2. 252 U. S. 189 (1919).
3. 256 U. S. 377 (1921).
4. 23 N.Y.S. 2d, 173 (1940).
5. 280 U.S. 234, 289 (1930).

## A Man's Home . . .

by GENE N. LA BELLE

Discriminatory barriers in housing are the *sine qua non* of prejudice.

Because of the growth of the Negro population, wartime migration, and post-war improvements in education, there is a desire by Negroes for better housing.

Acceptance of the Negro in employment and education has been far easier than acceptance of the Negro as an equal in the neighborhoods and the home. Employment and education are relatively impersonal—a man's home is his castle.

Law School Professor Richard Strichartz is the Vice-President and a Member of the Board of the Bagley Community Council, Incorporated. The purpose of this organization is "to promote an harmonious and productive democratic community based on the principle that good neighborhoods are engendered and sustained by good neighbors without regard to ethnic considerations."

Last winter, during Brotherhood Week, a talk was given by a university sociologist before the PTA of the Bagley Elementary School on the problems of changing neighborhood faces. As a result of that program the PTA established a human relations committee. From this committee was born the democratic conscience which guides the Bagley Community Council.

Comprised of residents living in a mile-square area bounded by McNichols, Seven Mile Road, Wyoming and Livernois, the Council is dedicated to preserve their changing neighborhood for both white and Negro residents.

"One of the things we think is significant," Strichartz said, "is that our group was not externally imposed by the government. It grew up from the inside when we all realized our responsibility as citizens of the community."

Immediately adjacent to this area a Negro family obtained a temporary injunction against the members of the Puritan Park Civic Association restraining the Association from harassing them. Delores and Maurice Lamar charged that members of this "civic" group picketed their home and threw rocks and paint at it.

#### THE GREATEST SINGLE BARRIER

"We are trying to foster," Professor Strichartz said, "among all the residents of our area a desire to participate in activities which contribute to and strengthen the welfare of the community."

According to the "1961 Report of the Commissioners on Civil Rights from the Michigan State Advisory Committee," the denial to non-whites of the right to live where economic and educational status would enable them to live, "remains the greatest single barrier to equal opportunity in education, and to integrated participation in other aspects of community life." Negroes comprise 26% of the population of the City of Detroit.

"You see, it is not the coming of the Negro residents, but how the white residents react which decides whether our neighborhood will live or die," Strichartz said.

White resistance to minority neighbors seems to rest upon a number of specific fears: (1) The fear of property loss and neighborhood decline; (2) The fear of loss of social status or of being in the minority; (3) The fear of crime; (4) The fear of intermarriage or intimacy.

Because the conservation of property values is a respectable purpose, it can also be a fine rationalization for prejudice. Experience in a number of American cities has shown that the movement of property values has run contrary to popular

belief. Usually, in fact, most residential areas where non-whites are permitted to settle are already antiquated and decaying. Much of the so-called "evidence" offered to prove the decline of property values is based on these neighborhoods.

The enigma in all aspects of race relations is social status. This is particularly true in housing. When the non-whites in the neighborhood are servants, little schism arises. Conflict appears, however, when the minority enters under circumstances which imply equality. Certain ethnic groups are identified with low status. Since one family shares the status of its neighbors, and since one's neighborhood is a measure of social position it follows that when a minority moves into a community the residents feel that their status has become equated with that of the lower group.

The fear of racial intermarriage is part of the status problem. Miscegenation has provoked racial antagonism only when the white partner was female. Intermarriage implies, it would seem, a greater threat to the dissolution of racial prejudice than housing.

"These are the kinds of fears which panic the residents of transitional areas," Strichartz said.

"It is the purpose of the Bagley Council to neutralize these fears. Many people in these areas fear for their personal safety, but few of them realize that unhealthy social conditions and the prevalence of crime in these areas are attributable to the social conditions, and not to race or ethnic origin as such.

#### THOSE IN THE WAY

"No matter how naive it may sound the Bagley Community Council is dedicated to the American ideal embedded in the Constitution, our religious heritage and judicial decisions. We believe in the fundamental equality of all men," he said.

According to the "1961 Report on Housing by the U. S. S. Commission on Civil Rights" many business organizations support the segregation of minority groups in housing. Real estate brokers, with few exceptions, will not sell or rent property to minority persons outside of areas designated for minority residence. To do otherwise is considered unethical. Whether or not discrimination represents the broker's personal belief is immaterial, the group controls him. To be reputable, to be "one of the boys," he must adhere to discrimination or be expelled from the local real estate board.

The same is true of builders. The private building industry has done much to intensify racial segregation. The modern subdivider not only builds houses but creates communities. Like the realtors, the builders rationalize this exclusion in terms of business necessity.

Major support for housing segregation is derived from mortgage-lending institutions which refuse to finance the purchase of homes by non-whites in white neighborhoods. Many leaders justify this policy by saying that the entry of non-whites into white neighborhoods damages property values and hence the security of real estate investments is less sound.

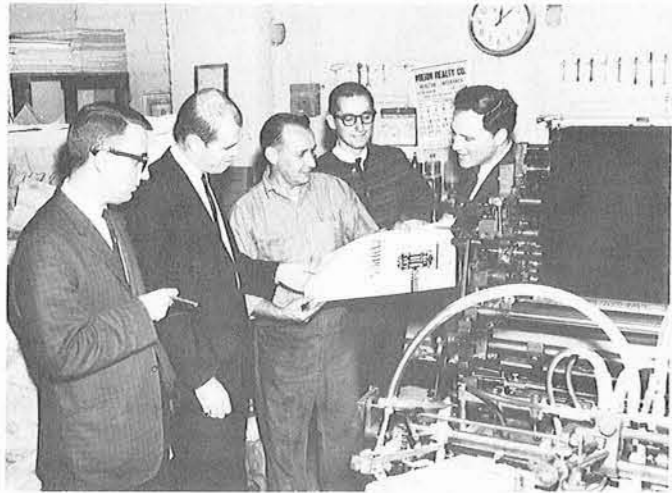
Indirectly governmental control, federal as well as state and local, through mortgage credit aids supports housing segregation. Although the Federal National Mortgage Association and the Voluntary Home Mortgage Credit Program have stimulated new construction for minorities, with few exceptions, new houses have been built in segregated projects. The same is true of state organizations.

Consider this statement from the State Advisory Committee to the Commission on Civil Rights: "In most Michigan com-

(Concluded on Page Eleven)



# The Wayne Advocate



From left to right: Larry Rudski, Arthur Whelan, Herbert Winkler, Ted Weiswasser, and Art Woll.



From left to right: Fred Stackable; Lithograph Shop Manager Yvonne Harm, and Armand Kunz.



From left to right: Executive Editor Richard Ruhala, Editor-In-Chief Gene N. LaBelle, Faculty Advisor Professor Richard Strichartz, and Managing Editor Armand Kunz.



From left to right: Jim Lafferty, Gary Plotkin, David Kratze, Arthur Woll, Ted Weiswasser, and Armand Kunz.



From left to right: Larry Rudski, Fred Stackable; Arthur Whelan, and Conrad Gniewek.

# The Wayne Law Review



From left to right: John DeMeester, George Burnard, Armand Kunz, Fred Goldsmith, and Aruthr Klurstein.



From left to right: Henry Gualtieri, Roger Boesky, and Ronald Westen.



From left to right: Faculty Advisor, Professor Richard Miller; Editor-In-Chief J. R. Wheatley.



From left to right standing: Sheldon Winkelman and Thomas Van Hattum. Seated: Pat Pernick.



Standing from left to right: Henry Gualtieri, Ted Weiswasser, Don Milbourn, and David Swets. Seated from left to right: Ronald Westen, Richard Bailey, and William Culbert.



# Dr. Shuman Returns From Europe

by DR. SAMUEL SHUMAN

As a result of a grant from the Rockefeller Foundation and some assistance provided by the United States Educational Commission, that is the Fulbright Commission, I was able to spend fifteen months in Europe. What follows is an informal report as to what I was doing there and why.

The Foundation had made the grant on the basis of my original proposal which was to investigate the relationship in contemporary German legal philosophy between legal positivism and natural law. More specifically, I was interested in discovering whether or not since the Second World War the growing tide of interest in natural law had subsided, and whether there was renewed interest in legal positivism, the doctrine which had prevailed prior to the Second World War. In addition, I was interested in seeing what was currently taught in Germany where legal philosophy was a subject in the regular law school curriculum. Pursuant to these objectives, more than ten months was spent in Germany, and the balance in a few other places.

## ARRIVES IN BREMEN

After arrival in Bremen aboard a German oceanliner which was utilized in hope that I might improve my German language facility before arriving in Europe, I proceeded to Frankfurt where I picked up an automobile, arrangements for the purchase of which had already been made in America. I then drove to Freiburg where ten days were required to find a suitable apartment. This is even more difficult than it is in any American city, as the housing shortage is incredible. Particularly in a place like Freiburg, which because of its location and facilities is something of a retirement paradise. It is located less than an hour from Switzerland, less than an hour from France, one day's drive to Paris, and less than six hours to Munich. In addition, it is less than an hour to very excellent skiing and mountain country. Perhaps, I should add, it also has a very great university. I finally found a small apartment in the Black Forest at Kappel, and it was there that we lived for most of the time in Germany.

After finding this apartment, I proceeded to the Hague in Holland where arrangements had been made to spend six weeks at the summer session of the Academy of International Law which is held there every year. This Academy is held at the site of the permanent Court of International Justice, some of whose members I was privileged to meet. But the most interesting aspect of the six weeks spent at the Hague was the opportunity to live in daily association with persons from other countries. Living quarters were shared with a Norwegian who was First Secretary of Foreign Affairs at Oslo and a young German lawyer who works as an assistant to a judge in Germany. In addition, there were present at the Academy while I was there, a number of lawyers from Poland with whom a great deal of time was spent and from whom I learned much about the operation of the legal system inside Poland. I was particularly concerned with the administration of justice in Poland because of prior interest in Soviet legal philosophy, and I was impressed to learn of the developments which were taking place in Poland which, incidentally, is not typical of Iron Curtain countries. However, no American would be tempted to regard the legal system which obtains in any Iron Curtain country as the paradigm example of a suitable device for achieving the rule of law as we know it.

After six weeks at the Hague, I drove through Paris to Bellagio in Italy at the tip of Lake Como. This was one of the most interesting aspects of my trip abroad, and the details of it have been written up in an article prepared together with my friend, Professor Richard Falk. This article is expected to appear in the December, 1961 issue of the Journal of Legal Education. Bellagio is one of the most beautiful spots I have ever seen, and the place where I was staying, the villa Serbelloni, was located on the highest point of ground at the tip of land where the two arms of Lake Como come together. From my room in a medieval tower, I was able to see snow-covered mountains and the beautiful villages located along the shores of the lake. The villa had been in private hands of Italian nobility for many, many centuries, but the last owner, curiously enough, was a Detroit woman who had married Count Serbelloni. A year or some time shortly before her death, she willed the villa and all its grounds to the Rockefeller Foundation on the condition that it be maintained as a great villa, but to be used for international conferences.

The conference at which I was present was sponsored by a group of Italian legal philosophers primarily under the direction of Professors Norbert Bobbio and Alesandro D'Entreves, both of the University of Turino. There were present at this conference thirteen Italian legal philosophers, two from England, one from Denmark, one from Canada, and two Americans besides myself. We lived together for two and a half weeks, spending all of our time together at the villa, arrangements having been made for our evening meals to be taken in common on the local trattoria. This small restaurant was located right on the water so that they caught the fish in the afternoon and served them to us in the evening. It was romantic, idealistic, stimulating and exciting in the extreme. I learned a great deal about continental legal philosophy and met some of the brightest, younger minds working in this field in Europe. For some reason, Northern Italy has become a center of legal philosophy and most of the Italian conference participants had been trained there, or were working there at the time.

## LANGUAGE A DIFFICULTY

The language problem was something of a difficulty, but in personal human relations language is among the less significant aspects when there is a desire to understand. In our professional conference work during the day we met for a morning and afternoon session. At those times, we had the benefit of translators; one of the persons among us being able to either translate from Italian to English or vice versa, at all times. In our more informal moments, we were able to communicate by any number of devices. Sometimes I would speak German with an Italian who spoke no English (and I spoke no Italian.) Occasionally, we used a combination of French, German, English and anything else, but it was an unforgettable experience in living with a group of hard-working, highly intelligent, highly motivated, highly capable people. It was one of the high points of my European trip. The details of the specific conference which was concerned with the present status of legal positivism has, as I have said, been written up in a separate article.

After leaving Bellagio, I took a four-day vacation and traveled south into France in order to visit an area which had

long interested me because it has appealed to so many artists. It is a small French town just north of the Spanish border on the Mediterranean, and it is one of the most romantically beautiful places one could possibly imagine. After leaving there, I returned to Freiburg in Germany to take up my main activity which was the research mentioned in the opening paragraphs of this short article.

In Freiburg, I was accorded the highest cordiality by the members of the University there in the law department and provided with access to all the library facilities needed. In addition, I was given an invitation to attend whatever classes I desired. At that time, my language facility was not as good as it should have been, and consequently a great deal of time was devoted to learning German. This produced many amusing experiences, as you might imagine, since I would try to learn German in any way possible, including talking to strangers at restaurants. Fortunately, in Europe the custom is to sit at any table if there is an open chair and people are waiting; you simply ask if the space is free and sit down. In this way, I met many interesting people. The interest in foreigners is enormous, particularly in Americans, and I was everywhere received with the greatest cordiality. I remained in Freiburg from October until March with only very minor travels.

## EAST BERLIN VISITED

An exceedingly interesting break in the daily routine was provided by the occasion to spend a week in Berlin. Each year the Fulbright Commission in Germany arranges a one week conference in Berlin for all the grantees in Germany—students, teachers and research people. In addition to arranged tours and lectures, we met Willy Brandt at a special luncheon given for us by the city. In addition, we were able to visit one of the camps through which the thousands of weekly East Zone refugees passed on their way to other parts of West Germany.

However, even more interesting than all this were the several occasions on which I was able to visit East Berlin. The Russians happened to be in a good mood during the first weeks of March, and I was able to spend almost three full days in the East Zone. On two of those occasions, I was not accompanied by my wife and hence felt somewhat freer about wandering away from Stalin Allee. This is the "show-street," but one block away there is still an almost unbelievable amount of ruin. On one occasion, I even managed to eat in the East Zone. This is an almost impossible feat since the waitress is required to see the personal identification before taking an order. Similarly, if one wished to buy a loaf of bread, the sales person must first see the identification. There are at least two reasons for this. First, there is a serious and perennial shortage of almost everything. However, even more important so far as East Berlin is concerned, is the fact that one can buy East German currency at a 75%, yes 75% discount, just five minutes away in West Berlin. But, for some unknown reason the waitress served us, and so we ate in what used to be a very famous restaurant across from the Berlin opera. I should add, the food was not worth the risk. Had the police been called, I would probably have been kept for "only" three-days questioning—as I said, the Russians were then in a good mood.

## ON TO ITALY

In April, I went to Italy as a result of an invitation from the University of Florence and the Italian Fulbright Commission which had invited me to participate in a thirteen-nation conference at the University of Florence concerned with the question of judicial independence. I delivered a paper at that

conference which has been translated into and will be published in Italian in a book containing the proceedings of that conference. The conference was not highly successful from my point of view, since the concerns of the characteristic continental legal system, particularly the Italian and French, with the problem of judicial independence is indeed very different from what we understand by that term in America. They are much more concerned with governmental interference and with what might be called the "civil service" aspect of judicial independence. Whereas, I was more concerned with the philosophical problems involved. However, it was exceedingly interesting to understand or at least try to understand why they had these different concerns, and how they hope to solve their problems.

## AN ENCHANTING CITY

In any event, no one could be unhappy about having to spend a week in Florence, one of the most enchanting cities in the world, and this would be true even if it did not have the Uffizzi. Even after Rome which, in my judgment, ranks as the most interesting city in Europe, Florence was still a very wonderful city. Although, perhaps, not the most beautiful, Rome is the most exciting city, and I was happy to be able to spend some time there. While in Rome, I spent a number of days at the University of Rome's Institute for Legal Philosophy which had only recently received a gift of one of the best libraries in that subject.

After leaving Florence, I returned to Germany where I then undertook my major activities for the year in terms of my German project. I traveled constantly from April through the end of July, visiting every German university except three, meeting almost everyone who taught actively or wrote actively in the field of legal philosophy. Merely to mention some of the places, I lectured at Koln, where my first lecture in German was delivered. I there lectured on the topic of the possibility of empirical natural law theories. This lecture will appear as an article in a German periodical. I then spent some time at the Universities of Bonn, Heidelberg, Mainz, and later, at the Universities of Tubingen, Munich, Vienna, and a couple of other places.

## THE ROYAL TREATMENT

At these various universities, I spent different lengths of time, speaking always to the persons who taught legal philosophy asking them what they felt about the future of Germany; what they thought about the possibility of democracy in Germany; and what they thought about the continuity of legal philosophy and legal philosophical thinking in German legal education. Before returning home on the ship Bremen, on August 14, I stopped in Munster, Germany to renew an acquaintance I had made when I had been in Cambridge, Massachusetts some years ago and had the privilege of meeting a man who was then a guest of the State Department, and who then held and still holds the position analogous to what we would call a city manager. They extended at that city a most cordial welcome to Mrs. Shuman and myself, and we received "the royal treatment." I there had opportunities to meet with all the important people at the University, as well as the chief mayor of the city (most German cities have more than one) and had one of my most delightful, personal experiences at that interesting German city. It is somewhat out of the path for American tourists and so not often visited. This is unfortunate because it has much that is of historic interest. It is also one of the most modern cities in terms of city planning, despite its antiquity and

(Concluded on Page Eleven)

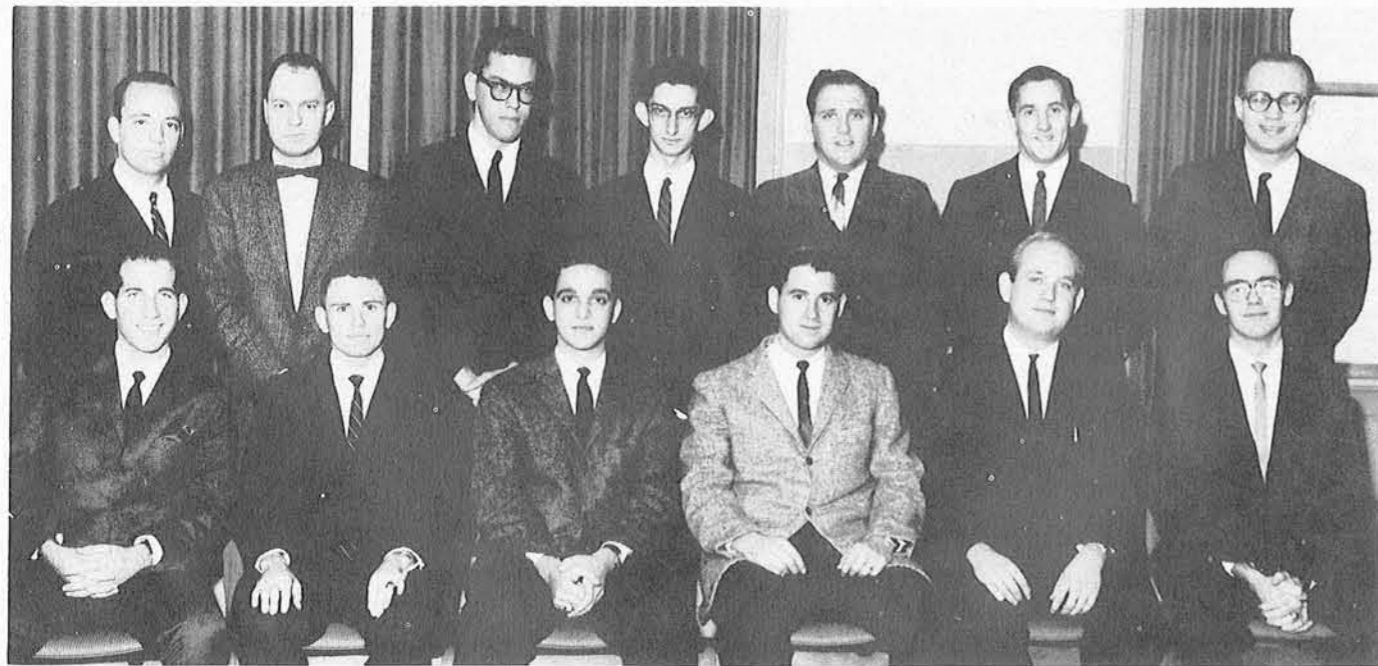


### Student Board of Governors



Back row from left to right: Dennie Jodis; Gene N. LaBelle; Marijana Relich; William Hampton; Ronald Jones; James Gragg; Irwin Elson and Arnold Gordon. Seated, from left to right: Faculty Advisor, Professor Donald Gordon; Matthew Seward; Robert Major; Arthur Woll; William Culbert and Anthony Worth. Not pictured: Thomas Moher; Fred Harris; James Lafferty and Catherine Emerson.

### Tau Epsilon Rho Omicron Chapter



Seated (left to right): Richard Chosid, David Kratze, Jerome Solomon, President, Sheldon P. Winkelman, Sheldon Gordon, Robert Meridith. Second Row: James Lafferty, Donald Milbourn, Gary Plotkin, Paul Nida, Arthur Woll, Marshall Cohen, Arthur Berlin. Not Pictured: Rodger Boesky, Joel Bussell, Morton Friedman, Arnold Gordon, James Gragg, Malcolm Harris, Sol Plafkin, Morley Wasserman.

### Shuman Returns

(Concluded from Page Nine)

ancient buildings which have been restored after the heavy bombing.

May I conclude with an anecdotal side issue. While traveling in Europe, despite warnings from everyone, I almost never made an advance hotel reservation. Indeed, only twice did I do so, and yet never did I have any difficulty finding a room even during the height of the tourist season at tourist centers. This was due, perhaps, to the fact that I had an automobile and could look around for a suitable place. But even more so, it was probably due to a willingness to accept accommodations at places other than where American tourists usually stay. The only difficulty I had in all my travels was when I returned to Detroit, and I returned the day before my home was to be ready for our reoccupancy. We were unable to find a motel room anywhere in the city and finally ended up outside of Detroit on Gratiot Avenue past Eight Mile Road.

### A Man's Home . . .

(Concluded from Page Five)

munities, Government programs, such as FHA and urban renewal, continue to encourage segregation. Segregation results in overcrowding and substandard housing which perpetuate the very obsolescence and decay which urban renewal is designed to correct."

"These ghettos lead to segregation in other areas of life," Strichartz said. "Many of our schools are segregated by the racial pattern of residence. Needless to say, this is deprivation of a particularly vital kind.

"An orderly transition in our community is essential. There is no panic here. Our group was organized to prevent this problem from arising. Call it a pilot program if you like. We intend to lend support and assistance to other groups and agencies engaged in the betterment of communities whenever and wherever possible."

### New Librarian



Mrs. Bethany Ochal has been named Associate Law Librarian.

A graduate of Wayne State University, Mrs. Ochal received a Bachelor of Arts Degree in 1944, and a Bachelor of Law Degree in 1945.

From 1958 to 1960 Mrs. Ochal was Chief Reference Librarian at the Detroit Bar Library.

### We Apologize



J. R. Wheatley



Joseph R. Wietek

J. R. Wheatley has been named Editor-In-Chief of the Wayne Law Review. A native of Tennessee, Wheatley received his combined Bachelor of Arts Degree from Wayne State University in 1960. His major field was Political Science.

Joseph R. Wietek has been elected Chancellor of the Moot Court Board. A graduate of this university, Wietek received his combined Bachelor of Arts Degree in 1960. His major subjects were English and Speech.

In the October edition of the Wayne Advocate an unpleasant mistake was made. The pictures of Mr. Wheatley and Mr. Wietek were transposed. The Editor takes full responsibility for this error.

### Survey Announced

The "1961 Annual Survey of Michigan Law," the fourth published by the WAYNE LAW REVIEW, will contain complete coverage of the significant changes, trends, and additions in 24 areas of Michigan law during the survey period. The Survey is invaluable to practitioners and students who wish to keep abreast of Michigan law. For example, a Survey subscriber may be surprised to learn that:

- (1) a declaratory judgment may be used to determine the validity of a foreign divorce; or
- (2) that it will henceforth be necessary for a trustee in bankruptcy to prove than an interim creditor actually exists before a mortgage can be set aside.

The reader will be interested in the expert analyses by members of the Wayne State University Law School faculty and leading members of the Michigan Bar of the effect and import of these trends and changes in Michigan law.

Response to the "Annual Survey of Michigan Law" has grown each year, and it is becoming increasingly difficult to fill late orders for back issues, as our supplies have been rapidly dwindling.

WAYNE LAW REVIEW

Wayne State University Law School Detroit 2, Michigan

Subscription to WAYNE LAW REVIEW for 1961-62 (4 issues, including SURVEY). \$4.50

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This is a renewal of my regular subscription.



## The Key to Better Proof

by ARNOLD M. GORDON

The practice of forensic medicine is usually defined as the application of medical knowledge to the needs of the administration of justice. With the increasing propensity toward litigation there is scarcely a disease or disorder which has not made its way at one time or another from its usual setting in the clinic, operating room, hospital bed or autopsy room to some tribunal. In adjudicating these medical issues the testimony of a well-trained, conscientious physician is essential if a just verdict is ascertainable.

### A.S.F.S. FORMED

Industrial diseases and accidents within the meaning of many workmen's compensation acts, and practically every other disorder known to medicine fall within the ambit of forensic medicine. For example, the relationship of physical injury to the onset of diabetes mellitus, or the possible or probable importance of mechanical trauma to carcinogenesis are medical problems presented in the courtroom by forensic physicians on whom the attorney must rely.

Historically, several ill-fated attempts were made to bring together scientists and others interested in the area of legal medicine. Driven by a crying need for such an association, the American Academy of Forensic Sciences (ASFS) was born in 1948.

Organized by a convocation of men interested in assimilating law and science, ASFS is a permanent organization, national in scope. Its purpose is "to promote the use of scientific methods and knowledge in the solution of legal problems and controversies. . . ." Practically, this organization strives to develop a better understanding of the application of legal doctrines in the minds of scientists thereby improving the professional qualifications of the scientists engaged in assisting attorneys and the courts. In this respect ASFS plans, organizes and administers seminars, publishes reports and originates other projects for the stimulation, advancement and standardization of scientific techniques, tests and criteria.

### THE SEVEN DIVISIONS

Those forensic sciences which have contributed the most toward the presentation of scientific proof in our courts are represented by the seven divisions of the Academy: Pathology, with its evidence of the course and manner of death, the identification of human remains, and the relationships between

trauma and injury or disease; Toxicology, the knowledge of poisons in relation to crime or occupational disease, and the development of chemical tests for the determination of the degree of alcoholic intoxication; Psychiatry, with its assistance in the rehabilitation of the maladjusted, and its evidence in insanity cases; Immunology, with its remarkable discoveries concerning the use of blood as a means of identification; Questioned Documents, important in revealing forgeries; Criminalistics, including scientific crime detection in the laboratory through the use of fingerprints, ballistics, tire impressions and others.

## West to Retire in 1962

Dr. Norbert D. West, Professor of Law and Librarian at Wayne State University since 1946 will retire during this academic year.

From Detroit he will travel to Vienna where he will teach comparative law at the Universities of Vienna and Graz. These classes will consist of students who represent a majority of the nations of the world. "I will try to give these people an understanding of the American culture along with my lectures on the common and civil law," he said.

Born in Austria in 1901, Dr. West received his J.U.D. from the University of Vienna in 1924. For a year after his graduation Dr. West was a clerk in the Vienna courts. From 1925 to 1938 he was Assistant Editor of Zentralblatt Fuer Die Juristische Praxis. He was a practicing attorney in Vienna until 1938 when he came to the United States. He received his Bachelor of Arts Degree in Library Science from the University of Michigan, and did post-graduate work at Columbia and Harvard Universities.

Dr. West intends to return to the United States after his sojourn in Austria and will join a project now being conducted by the New York University of Law. In co-operation with Dr. Samuel I. Shuman, he will translate the Austrian Penal Code which will be added to the American Series of Foreign Penal Codes,



The seventh division of the Academy is Jurisprudence. At first glance it may seem that the term "forensic jurisprudence" is the same as "legal law." "Forensic" means "relating to the administration of justice." Forensic Jurisprudence is that part of jurisprudence which has developed the best methods and techniques for utilizing the knowledge furnished by the other sciences. In short, it is the catalyst through which facts pass from the laboratory to the courtroom.

These, then, are the forensic sciences. These are the disciplines upon which the whole society must rely if truth is to prevail in the adjudication of individual and community rights. Forensic medicine, the forerunner of the forensic sciences, has, of necessity, been joined by these others to satisfy the ever increasing need for scientific evidence in the administration of justice.

Described by one of his colleagues as "a superb scholar, an excellent researcher and librarian, and a wise investor," Dr. West has been responsible for the development of the excellent law library available to the students and faculty. "The library supports the law curriculum very well, but it does not begin to be a research library," Dr. West said.

"The development of the library should go hand in hand with raising the standards of our law school and the graduation of qualified lawyers," he said. "Our students are afraid to think. They must study harder so that they will be able to compete with the graduates of the best law schools. It is only the best attorney who succeeds in practice. A good salesman makes more money than the average attorney.

"If the student is not sufficiently interested or willing to devote full time to serious study he has no business being in the Law School. Besides, you never know how handy some piece of stored information will be; it might mean the difference between winning and losing a case," he said.

Dr. West's avocations include skiing, tennis, skating, hiking and mountain climbing. He is active in the American Association of University Professors, and is a member of the Law Library Association.

Many attribute the success of The Wayne Law Review to Dr. West's superior editorial ability. "He is the finest editor I have ever known," says Professor Richard Strichartz.

--DAVID KRATZE

## Moot Court: An Evaluation

Only seven teams will compete in the junior round of Moot Court competition. One of these teams will go on to the spring rounds without argument, since the team is unopposed. It would seem, therefore, that the Moot Court program is suffering from an ailment common to so many activities at the University--lack of student support.

Is the Moot Court program worthwhile? Is it worthy of student support?

The law student needs practical experience. Opportunity for such experience, however, is virtually nonexistent in the law school curriculum. Unlike the medical, nursing, or education student whose entire body of learning is centered around the practical application of his skills, the law student must seek his experience outside the school. The Moot Court and Trial Court programs are the only exceptions to this rule.

### FEW COMPETE

The Moot Court program affords the student a chance to work under conditions closely related to those of the appellate courts. Here the student is given a chance to stand before three judges and defend his client's cause. Even more important, perhaps, is the experience he derives from preparing his brief. Once he is out in practice brief writing is commonplace, yet only through the Moot Court program does he have an opportunity to develop this skill.

Another benefit derived from competing in the Moot Court program is the ability to think on your feet and argue persuasively. Yet, in the junior year, where participation is voluntary, less than fifteen students compete. Is the explanation for this to be found in the performance of the Moot Court Board or in the student body?

All day-school freshmen must compete in the Moot Court program. Winners of these eliminations are automatically eligible to argue in their junior year. Because of their poor grades many freshmen do not return for the junior year. Of these, many are on probation and the extra time needed for preparation for Moot Court is utilized for class study. Although losers of their initial arguments may petition the Board for permission to compete in the junior rounds few do so. Result? Over one-half of the junior class eligible do not participate.

Are the cases uninteresting? Criminal law and torts are the usual subjects for freshman competition. If the student finds these subjects uninteresting he should question his choice of law as a

career. In this year's junior round, taxes and commercial paper, two subjects the junior is currently studying, are the topics to be argued. Also, this year's national competition climaxes the program with an interesting problem in international law.

Is the Moot Court Board itself responsible for the shortcomings of the program? The members of the senior class who are on the board are in the best position to judge. They confess that a stronger board would aid the program immeasurably. In this respect seven new members were added to the Board from the junior class: Kenneth M. Davies, James Engbers, William P. Hampton, James T. Lafferty, Matthew Seward, Richard D. Weber and Arthur W. Whelan, Jr. Membership on the board is something worth striving for and all freshmen might well consider membership for it offers them a chance to do constructive, self-rewarding research in varied fields of law. Also, the student has a chance to see appellate court procedure from the judge's side of the bench since all Board members participate in the judging of the competition.

### IMPROVEMENTS SUGGESTED

Perhaps the real failure of the Moot Court program is on the part of the students, the potential participants. Many students who recognize the value of the competition plead "lack of time" as a defense. This is greatly overworked. Certainly there are a few students who, because of outside jobs necessitated by economic hardship, or family responsibilities, truly do not have the time for the "extras" of university life. But the great bulk of students need to re-evaluate their scale of priorities. It is incumbent upon every student to leave the Law School with the best training possible.

What about the future? Positive efforts are being made to improve the program. The rescheduling of competition so as to conflict less with final examinations, increased publicity of the competition, and improved and more varied cases dramatize some of the possible changes in the program. But unless the students themselves are able to dispell their disinterest nothing short of compulsory participation, it would seem, will achieve more competition.

The Moot Court program will be looking to the freshman class for the answer. They will have a chance to mold the program to their own liking and implant it with traditions of their own choosing.

--JAMES T. LAFFERTY

## Financial Aids

Financial aids and other awards are available in various forms to Wayne law students. They differ according to whether they require financial need or scholastic achievement as a condition precedent to being granted.

Each year one entering freshman is awarded up to \$600 from the Arthur F. Lederle Fund. The student is selected on the basis of need, and predicted law school success as indicated by his past record and his Law School Aptitude Test score.

The University provides up to fifty-six Graduate-Professional Scholarships to students with the requisite need and scholastic standing. The scholarships cover tuition for a complete school year. Application must be made by April 1 at the Law School records office. Two faculty recommendations are required.

Emergency loans are available from the Ernest C. Wunsch Fund, to students who reasonably expect that it will be repaid by the beginning of the next academic year. Inquiry regarding this fund should be made to Professor Carlin.

A number of these financial grants are keyed to scholastic achievement.

Senior Wayne Law Review editors share in an annual award provided by the Clarence M. Burton Memorial Foundation. Each of the principal editors shares in the \$1,250 grant. In addition, the senior editor contributing the outstanding article to the Law Review receives the Charles Ingersoll Gause Law Review Prize of \$50.

The Arthur L. Robbins Award bestows \$100 on the team evidencing excellence in practice court work and trial brief preparation.

The graduating senior ranking highest in property law receives the Lawyers' Title Award of \$100 and an appropriate certificate.

The Nathan Burkan Memorial Competition provides \$150 and \$50 for the best senior papers submitted on copyright law. In addition, the winning papers selected by the Dean are entered in the annual national competition for prizes of \$1,000, \$500 and \$250. The winning papers are published in ASCAP's Copyright Law Symposium.

The best Law Review contribution on Labor Relations, Workman's Compensation, or Unemployment Compensation is awarded the Samuel Schwartz Memorial Prize of \$75.

A distinguished student interested in pursuing a career in international or comparative law may qualify for the Alexander Freeman Legal Scholarship. Details are available from Professor Shuman.



## Moot Court - 1961



Left to right: Paul Valentino, Ronald Taylor, Marijana Relich, Matthew Stewart, and William Hampton.



Foreground, seated left to right: Richard Ruhala, Victor Pettit, and John Ottaway. Background, left to right: Moot Court Clerk Robert Currie, and Cancellor Joseph Wietek.



Left to right: James Engbers, Richard Weber, Ken Davies, and James Lafferty.

# Wayne State University Law School

## Administration



**Dean Arthur Neef**

A.B., J.D., University of Michigan; Practicing Attorney, Detroit, 1923-30; Part-time executive secretary and instructor, Detroit City Law School (now Wayne State University Law School), 1927-30; Full-time executive secretary and professor, 1930-35; Assistant Dean and professor, 1935-37; Dean, 1937; Appointed Provost of Wayne State University, in addition to deanship, 1945; Appointed Vice President of Wayne State University, in addition to Provost and deanship, 1953.



**John E. Glavin**

B.A., J.D., University of Michigan; Admitted to practice, New York, 1936, Michigan, 1937; U.S. Department of Justice, 1942-43; U.S. Army Air Force, 1943-45; Associate Dean, Wayne State University; Professor of Law; Faculty since 1938.



**June H. Plihal**

A.B. with high distinction, Wayne State University; Director of Admissions and Placement.

## Faculty



**Douglass G. Boshkoff**

A.B., LL.B., Harvard University; Admitted to practice, New York, 1955, Michigan, 1960; Teaching Fellow, Harvard Law School, 1957-59; Assistant Professor of Law, Wayne State University, 1959-60; Associate Professor of Law since 1960.



**Benjamin Carlin**

A.B., Bates College; LL.B., Wake Forest; LL.M., Boston University; University LL.M., Boston University; University of Cambridge, England, Summer, 1949; Graduate Fellowship, Harvard Law School, 1950-51; Admitted to practice, Massachusetts, 1941, Michigan, 1958; Instructor in Law, Boston University, 1947-49; Assistant Professor, 1949-50; Professor of Law, 1952-58; JAGC, U.S. Army, 1951-52, Infantry, 1942-46; Professor of Law, Wayne State University since 1957.



**Robert E. Childs**

B.S., J.D., Northwestern University; LL.M., University of Michigan; Assistant in the School of Commerce, Northwestern University, 1939-40; Lecturer in Business Law, Valparaiso University, 1940-41; Admitted to practice, Indiana, 1939, Michigan, 1950; U.S. Navy, 1944-46; Professor of Law, Wayne State University, 1951; Faculty since 1946.





**Donald H. Gordon**

A.B., Princeton University; LL.B., LL.M., Harvard University; Admitted to practice, Massachusetts, 1949, Michigan, 1948; Assistant Professor of Law, Wayne State University, 1957-58; Associate Professor since 1958; Professor of Law since 1960.



**Harold S. Marchant**

B.A., Harvard Business School; LL.B., Wayne State University; Admitted to practice, Michigan, 1941; Attorney for the O.P.A., 1942-43; General Legal Staff, Chrysler Corporation, 1943-48; Professor of Law, Detroit College of Law, 1949-54; Professor of Law, Wayne State University, 1956; Faculty since 1954.



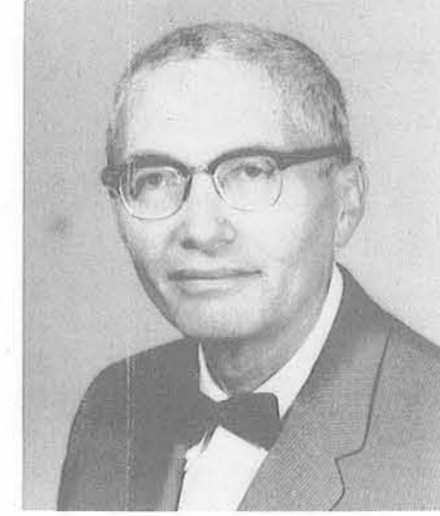
**Richard S. Miller**

B.S., LL.B., Boston University; LL.M., Yale Law School, Sterling-Ford Fellow; Editor-in-Chief, B.U.L.R., 1955-56; U.S. Air Force, 1951-53; Admitted to practice Massachusetts, 1956; Teaching Fellow, Boston University, 1956-57; Instructor, Boston College, 1957-58; Associate Professor of Law, Wayne State University since 1959.



**Richard Strichartz**

B.S. in Electrical Engineering, University of South Carolina; A.M., Columbia University; Graduate Study, Oxford University; LL.B., University of Miami; LL.M., New York University; Instructor of Law, New York University, 1954-55; Assistant Professor, 1955-56; Sterling-Ford Fellow, Yale Law School, 1959-60; Kenneson Fellow, New York University, 1953-54; U.S. Naval Reserve, 1941-46, 1950-52; Admitted to practice, Florida, 1950; consultant, New York State Attorney General, 1955; Professor of Law, Wayne State University, 1959; Faculty since 1956.



**Norbert Dick West**

J.U.D., University of Vienna; A.B.L.S., University of Michigan; Attended Columbia University; Admitted to practice, Vienna, Austria, 1931; Law Clerk in Courts of Vienna, 1924-25; Attorney at Law in Vienna, 1931-38; Volkshochschule, Vienna, Dozent, 1927-30; Assistant Editor of the "Zentralblatt fuer die juristische Praxis", 1925-38; Law Librarian, Wayne State University since 1946; Visiting Professor, Spring Term, 1960, University of Vienna (Austria); Associate Professor of Law since 1958.



**Carl L. Whitechurch**

A.B., J.D., S.J.D., University of Michigan; Student Editor, Michigan Law Review, 1925-28; Visiting Assistant Professor, University of Missouri, 1928-29; Admitted to practice, Michigan, 1930; Professor of Law, Wayne State University since 1948; Faculty since 1930.



**Charles W. Quick**

A.B., Talladega College; LL.B., Harvard University; LL.M., New York University; Admitted to practice, Ohio, 1939; Research Assistant, Professor Seavey, Harvard Law School, 1939; Assistant Professor of Law, North Carolina Law School, 1940-41; Assistant General Counsel, O.P.A., 1942-47; Associate Professor of Law, Howard University, 1948-57; Kenneson Research Fellow, New York University, 1956-57; Senior Research Fellow, University of Chicago, 1957-58; Professor of Law, Wayne State University; Faculty since 1958.



**Samuel I. Shuman**

A.B. 1947, A.M. 1948, Ph.D. 1951, University of Pennsylvania; J.D. 1954, University of Michigan; S.J.D. 1959, Harvard University. Admitted to practice, Michigan, 1954. Professor of Law at Wayne State University since 1954.



**Boaz Siegel**

A.B., M.A., LL.B., Wayne State University; Admitted to practice, Michigan, 1941; Arbitrator on panels of American Arbitration; Member of Faculty, Institute of Labor and Industrial Relations, The University of Michigan-Wayne State University; Professor of Law, Wayne State University; Faculty since 1941.

**Part-Time Faculty**

- SOLOMON BIENENFELD
- EARL R. BOONSTRA
- HARRY N. CASSELMAN
- DIC L. DORNEY
- GEORGE DOWNING
- EMMETT E. EAGAN
- BERRIEN C. EATON, JR.
- FRED HAILER
- BERNARD F. MAGRUDER
- M. BURNS STANLEY
- FRANK M. WISEMAN
- ERNEST WUNSCH

**Legal Writing Instructors**

- IRVING AUGUST
- JAMES M. BAYSINGER
- GERALD BENJAMIN
- GORDON CUTLER
- ASHLEY GORMAN
- MAURICE KELMAN
- SHELDON L. KLIMIST
- FRED MORGANROTH
- MARK SHAEVSKY
- DONALD E. SHELY

*Presenting the Graduating Seniors, Class of 1962 . . .*



**Richard B. Bailey**

Dearborn, Michigan

Eastern Michigan University, 1953-1955;  
B.A., University of Michigan, 1957



**DISTINCTIONS:** Editorial board of Wayne Law Review; Quarter Finalist in Moot Court Competition.

**PRIOR EXPERIENCE:** U.S. Army 1957-1959.

**FUTURE PLANS:** General practice in the Detroit area.



**William Baird**

Oak Park, Michigan

B.A., Wayne State University, 1954

**PRIOR EXPERIENCE:** U. S. Army, 1954-1956; Editor in Advertising; Television Writer-Producer.

**FUTURE PLANS:** Mr. Baird would like to establish a small newspaper in Michigan and also practice law.

**Thaddeus A. Bohlen**

Warren, Michigan

B.A., University of Michigan, 1954



**DISTINCTIONS:** Recipient of the Bronze Key and a member of the Student Board of Governors.

**PRIOR EXPERIENCE:** Mr. Bohlen is a registered architect in the state of Michigan.

**FUTURE PLANS:** No preference has been indicated at this time.



**Thomas K. Brichford**

Warren, Michigan

B.S.M.E., Case Institute of Technology, 1955;  
M.A.E., Chrysler Institute of Engineering, 1957

**DISTINCTIONS:** Member of Phi Alpha Delta Law Fraternity.

**PRIOR EXPERIENCE:** Presently employed as a truck design engineer.

**FUTURE PLANS:** Mr. Brichford has expressed an interest in a patent law practice in the Detroit area.

**Arthur E. Berlin**

Detroit, Michigan

B.A., Wayne State University, 1960



**DISTINCTIONS:** In law school, Mr. Berlin was a member of Tau Epsilon Rho fraternity.

**FUTURE PLANS:** To practice in Detroit in the field of commercial law.



**Roger B. Boesky**

Detroit, Michigan

B.A., University of Michigan, 1958

**DISTINCTIONS:** Managing Editor of the Wayne Law Review; Business Manager of the Wayne Advocate; member of Tau Epsilon Rho Legal Fraternity.

**PRIOR EXPERIENCE:** Air Force Reserve, 1958; law clerk.

**FUTURE PLANS:** Mr. Boesky plans to practice private international law in Detroit.

**George A. Cassavaugh, Jr.**

Detroit, Michigan

B.A., Wayne State University, with distinction, 1960



**FUTURE PLANS:** None have been indicated.



**Stewart A. Christian**

Grand Rapids, Michigan

Albion College, 1953-1955;  
B.A., University of Michigan, 1958, with teaching certificate

**DISTINCTION:** Member of Delta Theta Phi Law Fraternity.  
**PRIOR EXPERIENCE:** Teaching in the Detroit and Brighton areas; men's Resident Housing Counselor, Wayne State University 1960-61.

**FUTURE PLANS:** Mr. Christian would like to practice law in the Grand Rapids area.



**Marshall J. Cohen**

Detroit, Michigan

Attended University of Michigan and Michigan State University



**DISTINCTIONS:** In law school, Mr. Cohen was a member of Tau Epsilon Rho fraternity.

**FUTURE PLANS:** To continue his present employment in a Detroit law firm.



**William M. Culbert**

Columbus, Ohio

B.A., Ohio University, 1955

**DISTINCTIONS:** While in law school, Mr. Culbert has been on the Law Review staff and a member of the Student Board of Governors.

**PRIOR EXPERIENCE:** Served as an officer in the U.S. Air Force 1956-1957.

**FUTURE PLANS:** Undetermined.

**Romolo DiTeodoro**

Detroit, Michigan

B.A., Wayne State University, 1960



**DISTINCTIONS:** National Political Science Honor Society; member of Moot Court Board; Semi-finalist, Moot Court competition.

**PRIOR EXPERIENCE:** Ensign, U. S. Merchant Service, 1943 through 1946.

**FUTURE PLANS:** Mr. DiTeodoro has no preference as to locality.



**John V. Dunlop**

Lake Orion, Michigan

B.A., Albion College, 1955

**PRIOR EXPERIENCE:** U. S. Navy, 1955-1957. Presently employed in a technical service department.

**FUTURE PLANS:** Mr. Dunlop would prefer to locate in Michigan.

**Robert J. Currie**

Detroit, Michigan

A.B., University of Michigan, 1959; Scandinavian Seminar, 1958



**DISTINCTIONS:** Mr. Currie is a recipient of the Freeman Scholarship; he is also a member of the Delta Theta Phi Law Fraternity, Quarter-finalist in National Moot Court competition; Clerk of the Moot Court Board, and a member of A.L.S.A. World Peace Through Law Committee.

**FUTURE PLANS:** After Mr. Currie completes graduate work in the area of International Law, he plans to work with an American company overseas.



**John DeMeester**

Decatur, Michigan

B.S., Western Michigan University, 1955

**DISTINCTIONS:** Mr. DeMeester is a member of the Law Review staff.

**PRIOR EXPERIENCE:** Served as 1st Lt. QMC - U. S. Army and U. S. Army Reserve, 1956-1960.

**FUTURE PLANS:** No preference is indicated.

**Catherine E. Emerson**

Detroit, Michigan

B.A., Wayne State University (with distinction), 1952



**DISTINCTIONS:** Miss Emerson was a member of the Student Board of Governors and was president of Phi Delta Delta.

**PRIOR EXPERIENCE:** Employed as a police woman.

**FUTURE PLANS:** To work in the field of criminal law in Detroit.



**David E. Engelbert**

Detroit, Michigan

B.B.A., University of Michigan, 1958

**PRIOR EXPERIENCE:** U. S. Air Force Reserve, 1958-1961.

**FUTURE PLANS:** Mr. Engelbert prefers to work in Detroit or Washington, D.C., in the area of tax law.



**Edward B. Goodrich**

South Lyon, Michigan

B.A., University of Michigan, 1959



**DISTINCTIONS:** Graduate Professional Scholarship.

**PRIOR EXPERIENCE:** Mr. Goodrich has been employed by the General Motors tax section during the past summer. He also has experience in their accounting section.

**FUTURE PLANS:** Prefers to work in the area of corporate taxation.



**Arnold M. Gordon**

Detroit, Michigan

B.S., Wayne State University, 1959

**DISTINCTIONS:** Recipient of a scholarship and Certificate of Achievement in Medical Jurisprudence from The Law Science Academy of America; member of the Student Board of Governors; officer of Tau Epsilon Rho Legal Fraternity; member of Wayne Advocate staff.

**PRIOR EXPERIENCE:** Experience in real estate field.

**FUTURE PLANS:** Mr. Gordon, who expresses his interest in personal injury litigation, has no preference as to locality.

**James R. Gragg**

Detroit, Michigan

B.A., Howard University, 1957



**DISTINCTIONS:** Member of Tau Epsilon Rho Legal Fraternity; member of Student Board of Governors.

**PRIOR EXPERIENCE:** U. S. Army 1953-1955.

**FUTURE PLANS:** He prefers to locate in Detroit.



**Harry S. Gruber**

Huntington Woods, Michigan

B.A., Wayne State University, 1958.

**PRIOR EXPERIENCE:** U. S. Army, 1954-1956.

**FUTURE PLANS:** Mr. Gruber prefers to locate in Detroit and specialize in corporate and tax law.

**Carl Hall**

Birmingham, Alabama

Miles College, 1950-1953



**PRIOR EXPERIENCE:** U. S. Army, 1944-1945.

**FUTURE PLANS:** Mr. Hall prefers to locate in Detroit after graduation.



**Bruce A. Karash**

St. Clair Shores, Michigan

A.B., University of Michigan, 1959

**DISTINCTIONS:** Moot Court quarter-finalist; member of Delta Theta Phi Law Fraternity.

**PRIOR EXPERIENCE:** Law clerk for a Detroit firm; teaching experience in junior and senior high schools.

**FUTURE PLANS:** Mr. Karash plans to enter general practice in the Detroit area.

**Richard Knoll**

Royal Oak, Michigan

B.A., University of Michigan, 1959



**FUTURE PLANS:** None have been indicated.



**Henry A. Krolik**

Detroit, Michigan

B.A., Antioch College; M.A., Public Administration, University of Michigan

**PRIOR EXPERIENCE:** Mr. Krolik currently sells mutual funds and life insurance. His experience includes work in auditing, public personnel, and the public employment service.

**FUTURE PLANS:** Preferably to practice law in the tax and labor fields.



**Allen Ledyard**

Grosse Pointe Farms,  
Michigan

B.A., Middlebury  
College, 1956



**DISTINCTIONS:** Finalist in Moot Court competition; member of Delta Theta Phi Law Fraternity where he was Clerk of the Exchequer.

**PRIOR EXPERIENCE:** U. S. Army, 1957-59; U. S. A. R., 1959-61. Claims adjuster for a national bank.

**FUTURE PLANS:** Mr. Ledyard has expressed an interest in foreign trade law.

**Joel A. Lutz**

Detroit, Michigan

B.A., Wayne State  
University, 1955



**DISTINCTIONS:** In law school he has been a Bronze Key recipient.

**PRIOR EXPERIENCE:** Service in the U.S. Army, 1955-1957.

**FUTURE PLANS:** No preference has been indicated.

**Stuart F. Meek, Jr.**

Detroit, Michigan

B.A., Wayne State  
University, 1958



**DISTINCTIONS:** Moot Court Finalist; Dean of Delta Theta Phi Law Fraternity; National Moot Court competitor.

**PRIOR EXPERIENCE:** Law clerk.

**FUTURE PLANS:** Mr. Meek intends to practice law in the State of Michigan.

**Thomas G. Moher**

Sault Ste. Marie,  
Michigan

B.A., University of  
Detroit, 1958;  
Attended Michigan  
College of Mining  
and Technology,  
1954-1956



**DISTINCTIONS:** Junior Editor of Law Review; Moot Court Semi-Finalist; Senior Class Representative to the Student Board of Governors; Chairman of the Speaker's Program; member of Delta Theta Phi Law Fraternity.

**FUTURE PLANS:** Mr. Moher would like to practice law in Northern Michigan, preferably in the Upper Peninsula.

**Vivien E. Lynch**

Detroit, Michigan

B.A., Wayne State  
University, 1960



**DISTINCTIONS:** Miss Lynch has been the recipient of the Graduate-Professional Scholarship and Silver Key Award; Wayne Law Review; and Wayne Law Journal.

**PRIOR EXPERIENCE:** Employed as a law clerk.

**FUTURE PLANS:** Miss Lynch has indicated a special interest in criminal law.

**Robert M. Major**

Detroit, Michigan

B.S., Wayne State  
University, 1962



**DISTINCTIONS:** Mr. Major has been the recipient of a graduate-professional scholarship. He is also President of the Law School Board of Directors and a member of Omicron Delta Kappa Honorary Society.

**PRIOR EXPERIENCE:** Assistant Manager of Wayne State University's Mackenzie Hall. Also prior employment in a Detroit bank.

**FUTURE PLANS:** Private practice in the Detroit area.

**Salem M. Nahhat**

Detroit, Michigan

B.A., Wayne State  
University, 1954; and  
M.Ed., 1957



**DISTINCTIONS:** Mr. Nahhat is a member of Delta Theta Phi Law Fraternity.

**FUTURE PLANS:** Intends to practice in the Detroit area.

**William C. Nill**

East Detroit, Michigan

B.S., Wayne State  
University, 1960



**PRIOR EXPERIENCE:** Mr. Nill has worked as a banking clerk.

**FUTURE PLANS:** Prefers employment in the Detroit Area.



**Stuart S. Opotowsky**

Detroit, Michigan

B.S., Wayne State University, 1957



**DISTINCTIONS:** Recipient of Silver and Gold Key Awards for scholarship.

**FUTURE PLANS:** Mr. Opotowsky, who is a C.P.A., intends to specialize in tax law.

**John P. Ottaway**

Grosse Pointe Farms, Michigan

B.S., William and Mary, 1957



**DISTINCTIONS:** Recipient of the American Jurisprudence Corporations Award. Activities include membership on the Moot Court Board and a quarter-finalist in Moot Court competition.

**PRIOR EXPERIENCE:** Law clerk; assistant chemist for Parke-Davis.

**FUTURE PLANS:** Mr. Ottaway prefers to settle in Detroit.

**Lawrence W. Rattner**

Huntington Woods, Michigan

B.A., University of Michigan, 1957



**DISTINCTIONS:** Moot Court Semi-finalist.

**PRIOR EXPERIENCE:** Presently a member of the U.S. Army Reserve.

**FUTURE PLANS:** Mr. Rattner intends to locate in Peru.

**Edward R. Reagan**

Sylvan Lake, Michigan

B.S., Wayne State University, 1954



**FUTURE PLANS:** Private practice in Oakland County.

**Victor Pettit**

Detroit, Michigan

B.S., Wayne State University, 1960



**DISTINCTIONS:** Member of the Moot Court Board.

**PRIOR EXPERIENCE:** Summer employment as a law clerk for a finance corporation.

**FUTURE PLANS:** Mr. Pettit plans to practice oil and gas law in Texas.

**Solomon A. Plafkin**

Detroit, Michigan

B.A., University of Michigan, 1952;  
M.A., Wayne State University, 1954



**DISTINCTIONS:** In law school Mr. Plafkin was a member of the Wayne University Student-Faculty Council.

**FUTURE PLANS:** Mr. Plafkin prefers to locate in the Metropolitan Detroit area.

**Marijana Relich**

Detroit, Michigan

Highland Park Junior College



**DISTINCTIONS:** In law school, Mrs. Relich was a member of the Moot Court Board and the Student Board of Governors.

**PRIOR EXPERIENCE:** Mrs. Relich has been employed as a legal secretary.

**FUTURE PLANS:** To enter private practice in the Metropolitan Detroit area.

**Hamilton M. Robichaud**

Dearborn, Michigan

A.B., University of Michigan, 1958



**DISTINCTIONS:** Mr. Robichaud is a member of Delta Theta Phi Law Fraternity.

**PRIOR EXPERIENCE:** Michigan Air National Guard.

**FUTURE PLANS:** No preference as to location has been expressed by Mr. Robichaud.

**Lawrence H. Rudzki**

Hamtramck, Michigan  
Wayne State University, 1956-1959



ACTIVITIES: Staff writer, the Wayne Advocate.

PRIOR EXPERIENCE: Law clerk.

FUTURE PLANS: General practice in Michigan, preferably in probate.



**Richard J. Ruhala**

Flint, Michigan  
B.A., University of Michigan, 1958;  
University of Rochester, 1959

DISTINCTIONS: Assoc. Editor of The Wayne Law Journal; Executive Editor of the Wayne Advocate; member of Moot Court Board; Moot Court finalist; National Moot Court competition.

PRIOR EXPERIENCE: Youth Director for Y.M.C.A.

FUTURE PLANS: Mr. Ruhala prefers to practice law in a small law firm in Michigan.

**Frederick L. Stackable**

Lansing, Michigan  
B.A., Michigan State University, 1959



DISTINCTIONS: Mr. Stackable has been a staff writer for the Wayne Law Journal and the Wayne Advocate. He has participated in the Moot Court program and is a member of Delta Theta Phi Law Fraternity.

FUTURE PLANS: Include public service with the F.B.I. followed by private practice in Alaska.



**David W. Swets**

Grand Rapids, Michigan  
B.A., Calvin College, 1957;  
M.B.A., Michigan State University, 1959

DISTINCTIONS: While attending law school, Mr. Swets has been on the Wayne Law Review staff.

PRIOR EXPERIENCE: Employment as a law clerk.

FUTURE PLANS: Undetermined.

**Gary L. Sanders**

Detroit, Michigan  
B.A., Wayne State University, 1960



DISTINCTIONS: In law school, Mr. Sanders was junior editor of the Wayne Law Review.

FUTURE PLANS: Prefers to locate in Los Angeles.



**Edward C. Sekton**

Oak Park, Michigan  
B.A., Detroit Institute of Technology, 1950

PRIOR EXPERIENCE: Mr. Sekton is a certified Public Accountant; U. S. Army.

FUTURE PLANS: To continue practice as a certified Public Accountant.

**Ronald J. Taylor**

St. Joseph, Michigan  
B.S., Western Michigan University, 1959.



DISTINCTIONS: Member of Moot Court Board; member of Delta Theta Phi Law Fraternity.

PRIOR EXPERIENCE: Mr. Taylor has worked in radio and television, the insurance field and served in the U. S. Air Force from 1955 through 1958.

FUTURE PLANS: To practice law in St. Joseph, Michigan.



**Paul G. Valentino**

Pontiac, Michigan  
University of Detroit; B.A., Detroit Institute of Technology, 1959

PRIOR EXPERIENCE: U. S. Air Force, 1952-1956; owner and manager of an airplane crop dusting company.

DISTINCTIONS: Member of Moot Court Board; National Moot Court Quarter-finalist; Delta Theta Phi Law Fraternity.

FUTURE PLANS: Mr. Valentino intends to go into private practice in Oakland County.





**Frank B. Vecchio**

Detroit, Michigan

Ph.B., University of Detroit, 1957

**DISTINCTIONS:** Recipient of Bronze Key Award; Graduate Professional Scholarship; Wayne Law Review staff; Student Board of Governors representative.

**PRIOR EXPERIENCE:** Teacher in Detroit secondary schools.

**FUTURE PLANS:** None have been indicated.



**Morley A. Wassermann**

Southfield, Michigan

B.A., Wayne State University, 1957

**FUTURE PLANS:** Mr. Wassermann would prefer working for an attorney specializing in corporate and tax law in the Metropolitan Detroit area.



**Joseph R. Wietek**

Detroit, Michigan

B.A., Wayne State University, 1960

**DISTINCTIONS:** Semi-finalist, Moot Court Competition; member of the Moot Court Board, 1960-1961; Chancellor of the Moot Court Board from 1961-1962; and a member of Delta Theta Phi Law Fraternity.

**FUTURE PLANS:** Mr. Wietek at this time has no preference as to future location.



**Ronald E. Westen**

Allen Park, Michigan

B.A. in Business Administration, Michigan State University, 1959

**DISTINCTIONS:** Recipient of Graduate Professional Scholarship and Burton Memorial Scholarship; Note-Comment Editor, Wayne Law Review; Quarter-finalist of Moot Court competition.

**PRIOR EXPERIENCE:** Summer employment as clerk for the Attorney General of Michigan.

**FUTURE PLANS:** Mr. Westen prefers a location in a private law firm in Michigan that emphasizes work in the field of corporate law.



**Jim R. Wheatley**

Eva, Tennessee

B.A., Wayne State University (with distinction), 1960

**DISTINCTIONS:** Recipient of Graduate Scholarship; Clarence Burton Scholarship; Editor-in-Chief, Wayne Law Review, Bronze Key for scholarship.

**FUTURE PLANS:** Preference to locate in Detroit, California, Tennessee, or Washington, D.C.

*Not Pictured*

Charles H. Blair

John C. Evans

Martin Findling

Donna B. Goldberg

Henry Gualtieri

Malcolm L. Levenson

John D. Lichty

Richard J. Lubienski

Annice R. McBryde

John Murphy

James E. Ross

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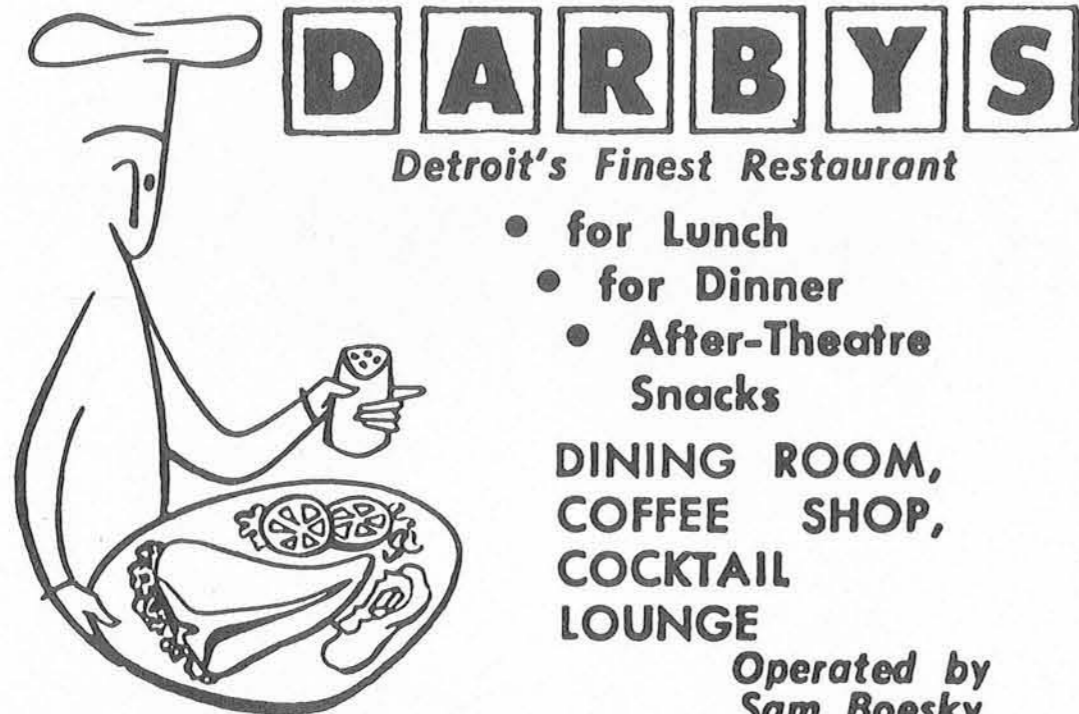
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From left to right: Marilyn Derwenskus, Elaine Ianni, Cora Gholston, Marie Rich, Rosella Boesky, May Hall.

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