

1967

## Treasurer's and Committee Reports - Wyoming State Bar Treasurer's Report

Wyoming State Bar

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### Recommended Citation

Wyoming State Bar (1967) "Treasurer's and Committee Reports - Wyoming State Bar Treasurer's Report," *Land & Water Law Review*: Vol. 2 : Iss. 2 , pp. 533 - 561.

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# LAND AND WATER LAW REVIEW

VOLUME II

1967

NUMBER 2

## TREASURER'S AND COMMITTEE REPORTS WYOMING STATE BAR TREASURER'S REPORT

Fiscal Year August 1, 1965 to July 31, 1966

**General Account:**

Cash on hand 8/1/65 (Powell First Nat'l Bank) ..... \$ 8,882.54

**Receipts:**

License fees collected from

8/1/65 to 7/31/66 .....\$13,550.00

Other Income:

Time Deposit Interest ..... 352.50

Cost advanced for corporation  
trust check list mailing ..... 16.00

Rebate from 1965 Bar

Convention ..... 178.80

Rules Publication Income ..... 9.00

Total Receipts ..... \$14,106.30

**Total Receipts and**

Cash on Hand ..... \$22,988.84

**Expenses:**

Postage .....\$ 260.00

Land & Water Law Review ..... 1,404.00

Secretary (salary and  
office exp.) ..... 2,438.50

\*Convention expense ..... 387.98

Office Supplies ..... 448.38

President & president-elect ..... 2,184.44

Officers and ABA Delegates,  
travel & per diem ..... 1,240.26

Board of Commissioners ..... 92.60

Telephone ..... 319.34

Committees ..... 183.03

Miscellaneous ..... 425.48

Total Expenses ..... \$ 9,384.01

Balance per books 7/31/66 ..... \$13,604.83

**General Account (Powell First**

Nat'l Bank) 7/31/66 ..... \$13,808.75

Less Checks outst. nos.

1633, 1635, 1636 ..... 203.92

Total cash on hand in general account 7/31/66 ....		<u>\$13,604.83</u>
*Assessed to 1966 convention.		
<b>Recapitulation</b>		
Total Cash on hand 8/1/65 .....		\$ 8,882.54
Income 1965-66 .....	\$14,106.30	
Less expenses 1965-66 .....	<u>9,384.01</u>	
Net income .....		<u>4,722.29</u>
Total cash on hand 7/31/66 ....		<u>13,604.83</u>
Time Deposits (First Nat'l Bn., Powell, First State Bn., Cody) .....		<u>7,500.00</u>
Total Cash on Hand and Time Deposits .....		<u><u>\$21,104.83</u></u>

Respectfully submitted 8-1-66  
**JOHN T. DIXON**  
 Secretary-Treasurer

### REPORT OF THE WYOMING STATE BAR AUDITING COMMITTEE

The duly appointed members of the Auditing Committee of the Wyoming State Bar report that they have examined the books and records of the Treasurer of the Wyoming State Bar for the 12 month period ending July 31, 1966, and report as follows:

All receipts for money were verified, checked against bank deposits and found to be correct. All disbursements have been made by checks signed by both the President and the Secretary. Bank balances were verified and the bank account reconciled.

The members of the committee are each satisfied that the Treasurer's report for the fiscal year ending July 31, 1966, correctly reflects receipts and disbursements for the fiscal year, the financial condition of the fiscal year and the financial condition of the Wyoming State Bar as of the close of the fiscal year.

We recommend that the Treasurer's report for the fiscal year ending July 31, 1966, be approved.

AUDITING COMMITTEE  
 Alan R. Simpson, Chairman  
 James P. Castberg

### REPORT OF THE WYOMING STATE BAR LEGISLATIVE AND LAW REFORM COMMITTEE

Your Committee on Legislation and Law Reform, composed of C. A. Brimmer, Jr., Vincent A. Ross, Paul B. Godfrey, William Hol-

land, Robert Holstedt and myself, respectfully submit the following report for the consideration of the membership of the Bar.

First of all, let me say that the Committee has not insisted that such proposed legislation be submitted in final bill form. As you are undoubtedly aware, a new format has been adopted by the legislature for the form of bills, which, as we understand, will be submitted shortly by Herbert D. Pownall, the Chief Clerk of the House of Representatives, and the cooperation of the law school, under the supervision of Professor Rames, and therefore, we present such proposals in a form that may not conform to the usual practice, but with the idea that they will be submitted in correct form at a later date. With that in mind, your Committee submits the following proposal for your consideration, and after each is presented, I will ask that you approve or disapprove same and if approved, it will be presented in a bill or a file for adoption at the next session of the Legislature.

1. Recognizing that a problem exists in the selection of candidates for the Judiciary, where a vacancy may occur after the primary election, your Committee recommends the same legislation as contained in Senate File 112, as introduced in the 38th Session, be approved. This Senate File is, in effect, providing that such vacancies could be filled by the officers and commissioners of the Wyoming State Bar. It is therefore moved that such recommendation be adopted.

2. Believing that there are inequities contained in Sections 7-7 to and including 7-10, of the Wyoming Statutes, 1957, regarding fees for attorneys in the defense of indigents, this Committee recommends that Section 7-9, Wyoming Statutes, 1957, be amended so that attorneys' fees may be set at the discretion of the District Judge. Thus, it would then be consistent with Section 7-10, which provides, in effect, that the Supreme Court may set such fees at its discretion for appeals from the District Court. At the present time, an attorney may receive up to \$200.00 for representation of an indigent defendant in a capital case in a lower court, but upon an appeal could receive more or less as may be determined by the Supreme Court on such an appeal. By this proposed amendment, a fee would be granted based upon the sound discretion of the Judge of the District Court or upon the same basis by the Supreme Court on an appeal. I therefore move that such proposal be adopted.

3. Your Committee recommends that the election laws be amended to eliminate the necessity of having the Board of County Commissioners call for bond elections or other elections for or on behalf of cities and towns which are located within the jurisdiction of such Board of County Commissioners. We therefore move that Sections 49 and 50, Chapter 235, Session Laws of Wyoming, 1961, relating to elections be amended and reenacted so that the governing body of any municipality, county, school district or special district, which is charged with the duty of calling a bond election shall have the power

to do so without the approval of any other board, agency, bureau or official, and further shall have the authority to canvass such bond election and provide the precincts and polling place therefor. I therefore move for the adoption of such recommendation.

4. Your Committee recommends that Section 27-120, Wyoming Statutes, 1957, be amended to provide that attorney's fees for representing injured workmen under the Wyoming Workman's Compensation Act, be amended to provide that such fee shall be in an amount as may be reasonable as determined by the Court. The present statute provides that the maximum fee allowed for such cases shall be \$100.00, and it is the Committee's belief that in many cases such a fee is not adequate. I therefore move for the adoption of this recommendation.

5. It is recommended that there be enacted a statute providing that in case a driver's license of an individual is suspended by a conviction in a lower court, and an appeal is taken to a higher court, the suspension of such license shall be stayed until the appeal is heard, provided, however, that such appeal is not delayed beyond one succeeding term of the appellate court. I therefore move for the adoption of such recommendation.

6. Your Committee recommends that Section 7-124, Wyoming Statutes, 1957, be amended so that every defendant, except a fugitive from justice, who has been charged with a crime by the filing of a direct information in a district court thirty (30) days before or after term day, shall be afforded the right of a preliminary hearing. It is the feeling of the committee that the present provisions of the law are archaic and were designed to provide a remedy during the days when the judges were presided over by the circuit riders. There does not appear to be such necessity today, and it is the thought of the committee that a preliminary hearing be granted in all cases so that all defendants should have the benefit of such discovery as may be accorded in conformity with the precepts of modern criminal procedure. It is therefore moved that such recommendation be adopted.

7. Your Committee also recommends that legislation be adopted to declare that an order granting a new trial in civil cases, including the order for a new trial, shall be a final order from which an appeal might be taken. However, it is the thought that such might be adopted as a rule of the Supreme Court and as such might be taken care of by rule rather than by statute. After discussion, it was moved by Gerry Spence that such a bill not be placed before the 1967 Legislative Session until such time as the Wyoming State Bar has had an opportunity to recommend to the Supreme Court that the contents of the bill be adopted as a rule.

Your Committee was advised by Mr. Alfred Pence that there

will be proposed amendments to the Uniform Commercial Code, Uniform Gifts to Minor Act, and the Uniform Federal Tax Lien Law. Mr. Pence indicated that the Uniform Laws Committee will not meet until sometime during the month of October, 1966, and as a result, he was unable to present any proposed legislation at this time to our Committee. Mr. Pence stated to us that he would be able to present such Uniform Laws Amendments by no later than December 1, 1966, and it is your Committee's recommendation that such amendments be presented at a later date through the efforts of Mr. Pence. The Committee does feel that if there are such amendments that the Wyoming State Bar would have ample opportunity to go over such at the January Legislative Meeting, and as you are aware, all of such amendments would be uniform and would not require any amendment at our meeting in January if they are to be considered for adoption by our Bar Association.

There were many other bills submitted to your Committee which the Committee believes to be meritorious but which seem to be somewhat far afield. It was the Committee's decision that such might be supported by the individual members of the bar as they might see fit, but that the Bar Association should not stray into areas that might be better served by organization dedicated to such particular purposes. It was the thought of this Committee that we should confine our recommendations to legislation that will directly effect and promote our profession.

In closing, we also suggest that a memorandum of explanation in support of all bills be submitted to those legislators who introduce our legislation at the next session. While it might be assumed that the sponsors of our bills in the session are aware of all the ramifications and of the necessity of such legislation, let me assure you that such is not the case. In the last session, more than 180 house bills were assigned to the Judiciary Committee, and this, of course, did not include the Senate Files that eventually wound up in that committee, so, any assistance you may give, as interested counselors, is always greatly appreciated by the members of the legislature.

Respectfully submitted,  
Edgar J. Herschler, Chairman

#### **JOINT REPORT OF THE WYOMING STATE BAR MINOR COURTS AND JUDICIAL COMMITTEES**

At the direction of the President this joint committee report is being made relative to activities of your Minor Courts and Judicial Committees during the past 1965-1966 year.

Your Judicial Committee sponsored a bill in the last session of the Legislature to provide a method of filling vacancies for nominees to the non-partisan offices of Justices of the Supreme Court and

Judges of the District Courts between the primary and general elections. It was introduced as Senate File 14 by Senators Murphy and Tobin. It passed the Senate and passed two readings in the House but died on general file in the House with a "Do Pass" recommendation. This was most disappointing. Your Judicial Committee, therefore, wants to be authorized by this convention to introduce a bill in the same form as Senate File 14 in the next legislature so as to care for this critical gap in our existing law.

The Minor Courts Committee has been active preparing for this year's campaign to support our Bar-sponsored Amendment No. 1 which will be on the ballot in November. This is the amendment designed to provide for modernizing our minor court system and is the same amendment which appeared on the ballot in 1964 as No. 2. You will recall that though the amendment got a simple majority of 67,000 votes *for* as compared to 53,000 votes *against*, yet it failed getting the necessary constitutional majority by 4,500 votes and, therefore, was defeated. Last time it carried a constitutional majority in 7 counties and indeed carried at least a simple majority in every one of our 23 counties save 2. This election we hopefully look forward to success, with your continued moral support and help.

Again this year we have leaflets which we would appreciate every member of the bar giving out to their clients either in person or with mail. Also use the envelope stickers on your mail to show your active support of this cause. There is an ample supply at the campaign table being maintained during this convention. Last, but not least, is the important job of supporting your State Bar by supporting this amendment vocally in your community.

In order to aid the minor courts cause and also that of judicial selection and other worthy improvements, a laymen's conference is being held at the University of Wyoming campus September 22-24. This is being co-sponsored by The American Judicature Society, The Wyoming State Bar, Governor Clifford Hansen, and the University of Wyoming. The co-chairman of the event are the chairmen of these reporting committees, W. Hume Everett, Chairman of the Judicial Committee and Robert Stanley Lowe, Chairman of the Minor Courts Committee. This conference is the natural outgrowth of last year's bar program put on for us at Casper by the American Judicature Society.

The conference is being called "Citizens' Conference on Wyoming Courts" and to it are being invited key citizens with diversified backgrounds from throughout the State. Governor Hansen is issuing the invitations addressed to a list prepared by your Bar. At the opening program Thursday evening George Guy will preside. Following the welcome by Governor Hansen, Chief Justice Glenn Parker will then introduce the principal speaker, Honorable Tom C. Clark, Associate Justice of the United States Supreme Court. Then right after the

speeches, the conference will start in with a discussion group meeting yet that night.

These discussion groups are the heart of this conference. The laymen attending will be broken up into four discussion groups. There will be four teams, one for each topic, with one lawyer acting as chairman and one lawyer acting as reporter for each team.

The four panels will cover the following subjects: Team A—Selection and Tenure of Judges; Team B—Compensation and Retirement of Judges; Team C — Discipline and Removal of Judges; and Team D—Courts of Limited and Special Jurisdiction. So far, at the time of preparing this report, members of the panel who have accepted invitations from the American Judicature Society to participate are: Hon. Harry Hall, Circuit Judge from Kansas City, Missouri; Hon. Jack E. Frankel, Executive Secretary of the Commission on Judicial Qualifications, of San Francisco, California; Hon. Jack Healy, Judicial Administrator of Denver, Colorado; and Hon. Leslie L. Anderson, District Judge of Minneapolis, Minnesota. Four more gentlemen of equal stature will join with these distinguished experts in filling out the four panels of speakers.

At the Saturday morning session, on September 24, a final general meeting of all conferees attending will be held. At this time it is anticipated that a statement of general consensus about our Wyoming court system will be adopted. We hope that from this will come a manifestation of outward citizens' support for our Constitutional Amendment No. 1 and also other potential amendments and legislation for judicial improvement in the future.

These conferences are nothing new. The Wyoming conference will be the 27th one the American Judicature Society has helped put on.

When he made his report at Montreal this year, Executive Director Glenn R. Winters of the Society reported that 24 conferences had been held up to then since 1959 and that 7 more were scheduled between Labor Day and Christmas, 1966. These 7 states (in the order in which their conferences will be held, are: Minnesota, North Dakota, Wyoming, Montana, Washington, Utah and Alabama. Already a half dozen more are in the making in other states.

These conferences have contributed at least some of the yeast to bring about the ferment for major change and modernization in no less than 21 states. Our neighbor state Nebraska, for example, was the first state in 1960 to hold one of these citizens' conferences; and shortly thereafter, in 1962, that state adopted into its constitution the judicial selection amendment. In fact, it has been said that there are less than half a dozen states in which there is not some activity under way to bring about some kind of changes.

Therefore, one can readily see that we are the fortunate beneficiaries of much valuable experience plus technical know-how in this important field of study to help us adjust better to the dynamic age we now live in.

Respectfully submitted,  
 MINOR COURTS COMMITTEE  
 Robert Stanley Lowe, Chairman  
 JUDICIAL COMMITTEE  
 W. Hume Everett, Chairman

**COLLEGE OF LAW**  
**DEAN'S ANNUAL REPORT — 1965-1966**

**I. Introduction and Summary**

The year 1965-66 was one of major expansion for the College of Law. A selective admissions policy resulted in a total enrollment of 116 students. The largest graduating class in the history of the school (25) received for the first time the degree of Juris Doctor (J.D.) in place of the LL.B.. The curriculum was expanded to include a cultural course in the first year program, and to enlarge the third year offerings for those students interested in government service, or business or practice in a more industrialized area. The basic program for persons desiring to practice law in Wyoming or in the Rocky Mountain area was retained.

The Defender Aid Program, jointly sponsored by the Wyoming State Bar and the College of Law, was inaugurated on a state wide basis. Law students not only rendered assistance to indigent persons accused of crime, but also engaged in research leading to the reform of criminal law and procedure. The students contributed several comments and case notes to Vol. 19 of the *Wyoming Law Journal* and played a significant role in the publication of Volume 1 of the *Land and Water Law Review*, the new and expanded Law School publication. Student participation in the American Law Student Association remained at a high level. In addition, several students worked in the research programs of the Wyoming Land and Water Law Center established during the year in the College of Law.

The faculty continued its service to the legal profession by active participation in state and national bar association affairs and by the sponsorship of an institute on the tax aspects of estate planning. A high level of scholarly research and publication was maintained by the faculty, and many members of the faculty delivered talks to professional and non-professional groups.

**II. Students**

The year began with 104 full time students and 12 part time

students, 42 in the first year, 37 in the second year and 25 in the third year. Nearly one-half of the first class came from states other than Wyoming. A total of 25 colleges and universities were represented in the pre-legal work of the first year class. Slightly more than one half of the members of the first year class received their pre-law training in whole or in part at the University of Wyoming or in two year Wyoming colleges. The members of the graduating class were placed in a great variety of positions, ranging from law offices in Wyoming and adjacent states to government positions scattered across the country.

*Activities.* The Potter Law Club continued its orientation program designed to assist entering students in adjusting to law school life. The luncheon speaker program was highlighted by a talk by Judge Rodney Guthrie of Newcastle on the Practical Aspects of Engaging in the Practice of Law. The major project of the Potter Law Club for the year was the presentation of the *Law Day* observance, which featured a visit to the campus by the distinguished Thurman Arnold. Judge Arnold spoke to the law students at a luncheon and delivered a major speech to the entire University community.

Four students contributed comments and case notes to the final volume of the *Wyoming Law Journal*. The Law Journal staff was reorganized in anticipation of the new law school publication, the *Land and Water Law Review*. Twenty students participated in the publication of the first volume of the new *Review*. The new publication, although concentrating on the legal aspects of land and water, retains a Wyoming division in which appear articles, comments and case notes of particular concern to Wyoming lawyers. The *Review* continues to publish the proceedings of the Wyoming State Bar and the Rules of Civil Procedure. Based upon reaction to the publication of the first volume of the *Review*, the specialized periodical will bring national recognition to the College of Law and the State of Wyoming. The *Review* has resulted in increased student participation and is designed to stimulate student competition and to provide recognition for meritorious achievement. The student editorial staff is chosen by the law faculty on the basis of high academic standing and writing ability.

Another program providing for full student participation is the Wyoming Defender Aid Program. A major purpose of the program is to supply law student assistance to legal counsel appointed by any Wyoming court to defend an indigent accused of crime. On request of any assigned counsel, the program Director, Professor Shellhaas, assigns a senior and a junior law student to perform whatever services the assigned counsel desires. During the first year of operation the law students have made investigations, interviewed witnesses, taken statements, performed research at the pre-trial as well as the appellate stage, prepared pleadings for signature of assigned

counsel, and participated in the actual trial of the case and appellate argument with the consent of the court and prosecutor. The entire senior class volunteered to work in the program as did nearly all members of the junior class. During its first year of operation, the Defender Aid Program assisted in the handling of 86 criminal cases including five first degree murder cases. The Defender Program is unique in that it is the only state wide, student-participation program thus far in operation in the country, although other law schools are now administering similar programs local in scope. The reaction to the program of the State Bar, the judiciary, prison officials and law enforcement officers has been extremely favorable. In addition, the Director of the National Legal Aid and Defender Association has singled out the Wyoming Defender Aid Program as a model to be followed by others.

### III. Publications and Research

*Publications.* The faculty has again this year contributed to legal journals and other publications. *Cases and Materials on Natural Resources*, written last year by Dean Trelease and Professors Bloomenthal and Geraud, has been adopted for use by many other law schools. In addition to his casebook publication, Dean Trelease published an article entitled "Property Rights, Economic Forces, and Public Regulation" in the *Natural Resources Journal*, and an article in Vol. 1 of the *Land and Water Law Review* pertaining to case studies of the transfer of water rights. Professor Bloomenthal published an article dealing with federal mineral income taxation in the *Land and Water Law Review*, and a monograph in the *Prentice-Hall Tax Series* on the tax advantages of oil and gas operations. Professor Geraud produced a report for the American Bar Association on decisions of the Department of the Interior, as well as continued his work in the discussion and analysis of oil and gas judicial decisions for the *Oil and Gas Reporter*. Professor Rames authored an article in Vol. 19 of the *Wyoming Law Journal* on the "Wyoming Procedure Regarding Admissibility of Confessions." Professor Henderson published an article entitled "Selling Below Cost in Wyoming" in the Wyoming section of the *Land and Water Law Review*. Professor Averill contributed an article in the *American University Law Review* dealing with "Anti-trust Considerations of the Principal Distribution Restrictions in Franchise Agreements." Professor Geraud prepared a supplement to the *American Law of Mining* and a survey of oil and gas law for the annual survey of the American Law. Professor Shellhaas is responsible for a comparative study of the Wyoming Code of Criminal Procedure and Federal Rules of Criminal Procedure which is mimeographed for local use. At year's end, Professor Bloomenthal had nearly completed a casebook on Securities Law.

#### IV. Speeches and Lectures

The faculty continued to deliver speeches and lectures on a wide variety of subjects. Dean Trelease delivered an address at the 1965 Western Interstate Water Conference in Corvallis, Oregon, a paper at the First Annual Meeting of the American Water Resources Association in Chicago and a paper at the Symposium on Water Production by Desalinization Using Nuclear Energy at Tucson, Arizona. Professor Shellhaas delivered a talk at the National Defender Project Director's Conference in Chicago as well as talks to the Albany County Bar Association and the State County Clerks Association. Professor Rames spoke to the Advanced Law Enforcement Academy and to the School for Clerks of Court. Professor Henderson gave several lectures to the Division of Adult Education and Community Services School Law Class. Professor Rudolph spoke to the Institute on Estate Planning on the subject of Life Tenancies, Reserve Life Estates and Private Annuities.

#### V. Service

*Legal Education.* Dean Trelease and Professor Shellhaas, Mealey and Henderson attended the annual meeting of the Association of American Law Schools in Chicago. Dean Trelease is Chairman of the Association's Curriculum Committee, and Professor Bloomenthal is Chairman of the Committee on Administrative Law. Mrs. Mealey attended a meeting of the American Association of Law Librarians in Los Angeles and continued her work as Chairman of the Audio-Visual Committee of that Association. Professor Shellhaas attended a meeting of the National Legal Aid and Defender Association in Arizona, as well as a meeting of the National Council on Legal Clinics in North Carolina. Professor Rames continued his work on the American Association of Law Schools Committee on Family Law. Professors Geraud, Shellhaas and Averill attended the Western Conference of Law Schools in Los Angeles. Dean Trelease was an invited participant in the Airlie House Conference on Manpower Needs for Criminal Defense, sponsored by the ABA and the President's Commission on Law Enforcement.

*Legal Profession.* Several members of the faculty attended the annual meeting of the Wyoming State Bar in September. Professor Shellhaas served on the Wyoming Statute Revision Commission and on two committees of the State Bar. Professor Rames served the State Bar on the Committee for the Defense of the Indigent, and Dean Trelease and Professor Bloomenthal served as Chairmen of State Bar Committees. Professor Geraud was program chairman for the annual Institute of the Rocky Mountain Mineral Law Foundation and served as member of the Executive Committee of the Rocky Mountain Mineral Law Foundation. Professor Bloomenthal continued his specialty in natural resources by serving as the Chairman

of the Atomic Energy Committee of the Section on Mineral and Natural Resources Law of the American Bar Association. Dean Trelease was appointed to two committees of the Association of American Law Schools and served on the Section of Legal Education and the Section on Mineral and Natural Resources Law of the American Bar Association.

The Ninth Annual Institute of the College of Law's Continuing Legal Education Series was held on the subject of the Tax Aspects of Estate Planning. The program was organized by Professors Bloomenthal, Geraud and Rudolph and featured various members of the state bars of Wyoming, Colorado and Montana.

*Land and Water Law Center.* The College of Law established the Land and Water Center as a unit of the Wyoming Water Resources Research Institute, supported in part by the United States under the Water Resources Research Act of 1964. Under this program, the school channels a major part of faculty and student research into the natural resources area. The Center acts as the legal staff of the Institute and participates in interdisciplinary studies of legal and institutional problems of water resources development. Research and publication in public land law, with special emphasis on petroleum and mineral development, parallel the water resources program. During 1965-1966, members of the law faculty and a graduate assistant prepared a study of the legal aspects of trans-basin diversions of water as a part of the major project of the Institute, initiated a study of the legal and economic effects of augmenting water supplies by weather control, and initiated the *Land and Water Law Review*. The Center was designated the agency to administer interdisciplinary studies of problems of the public lands of the United States under a grant from the United States Steel Foundation.

## VI. Faculty

Professor Rudolph returned from his year as Visiting Professor at Ohio State University School of Law. Two additional faculty members were hired to handle the enlarged curriculum, the expanded research and writing program, the Law Center and the Defender Program. Lawrence H. Averill, Jr. and John Pierce were appointed Assistant Professors of Law to do part time teaching and devote part time to the expanded program of the Law School. Members of the law faculty served on numerous regular and special faculty and administrative committees of the University, including the President's Advisory Committee and the Board of Trustees' Committee for selection of a President. Professor Rames served as Secretary of the general University faculty.

Respectfully submitted,  
Frank J. Trelease  
Dean

**REPORT OF THE WYOMING STATE BAR  
CLIENT'S SECURITY COMMITTEE**

The American Bar Association since 1959 has actively urged establishment of clients' security funds by state and local bar associations. This idea originated in New Zealand when the first such fund was set up in 1929. Since that time indemnity or guaranty funds for protection of clients of lawyers have been established in Australia, eight Canadian provinces, England, Ireland, Scotland, South Africa, Southern Rhodesia and Zambia; and as of June 1966, in 26 state bars and a dozen and a half county and city bars in this country. The bars of most other states now have this matter under active consideration.

An integrated state bar like the Wyoming State Bar is in the most favorable position to establish a clients' security fund because of its total membership. The Vermont Bar Association was the first state association to put a clients' security fund in operation in this country. Although misappropriations or dishonest conduct on the part of lawyers are extremely rare, those bars who have established clients' security funds have found them excellent public relations.

There are various methods of financing the fund. Some systems provide for appropriation of a given sum each year from the general fund. Others allocate part of the annual dues of the members for the fund. There has been some experience with insurance but the only commercially insured funds in operation in this country are those of the Alaska Bar Association and two county bar associations in Pennsylvania. An examination of clients' security programs in Canada finds that insurance and bonding of these programs has generally been discontinued by reason of the high cost of the premiums. In Canada a premium of \$75.00 is levied annually on each lawyer to fund their clients' security program.

The resolution proposed by this committee provides for establishment of a clients' security committee to administer a clients' security fund for protection of clients suffering loss caused by dishonest conduct of lawyers. The resolution is general in terms and is patterned somewhat after resolutions adopted by the Pennsylvania Bar Association, the Philadelphia Bar Association, the Washington State Bar and the New York State Association of Plaintiffs' Trial Lawyers. The resolution provides for a committee of three members appointed by the president who after initial appointments serve staggered three year terms. The committee is authorized to consider and allow or reject in whole or in part claims resulting from losses caused by dishonest conduct of members of the State Bar, and to prescribe rules and procedures for its operation and management of the fund. The fund consists of monies appropriated to it by the board of commissioners of the State Bar from time to time or received from other

sources, and the committee must report annually to the State Bar on its activities. Detailed rules of procedure have been adopted by other similar bar committees and will be available for adoption by the clients' security committee of the Wyoming State Bar.

The clients' security committee of the Wyoming State Bar recommends adoption of the resolution.

Respectfully submitted,  
George P. Sawyer  
Morris Massey  
Jerry W. Housel

### **REPORT OF THE WYOMING STATE BAR UNAUTHORIZED PRACTICE COMMITTEE**

The Committee on Unauthorized Practice of Law received two complaints on persons allegedly practicing law without a license in the State of Wyoming.

The first complaint of alleged unauthorized practice of law was received in late March of 1966, and the person charged with such violation was contacted by a member of the Committee. It was determined that this person had in fact practiced law in this State without a license to do so, and had received certain sums of money for this unauthorized practice. The Committee then reprimanded this person and asked that he return the money he had collected for practicing law. The Committee then was going to return this money to the party who had originally paid the same for the services of the person charged with unauthorized practice. To this date, the money has not been paid to the Committee by the person charged with unauthorized practice and, in view of this, the Committee recommends that the Wyoming State Bar Association (through its Unauthorized Practice Committee) institute contempt proceedings against the party charged with this particular violation.

The second complaint was received by this Committee in June of 1966 regarding a Casper party who had allegedly practiced law without a license in the State of Nebraska. The Chairman of the Nebraska Unauthorized Practice of Law Committee referred this complaint to our Committee for such action as we deemed appropriate. Actually, the violation alleged as to this party related to the planning of an estate for a Wyoming resident. This complaint is presently being investigated by the Casper member of the Committee and Ed Murane, and a report and recommendation will be forthcoming within the next month.

Respectfully submitted,  
Carl L. Lathrop, Chairman

**REPORT OF THE WYOMING STATE BAR  
MEDICAL-LEGAL JOINT COMMITTEE**

The Medical-Legal Joint Committee cooperated with the Wyoming State Medical Society Committee in bringing before the 1966 annual meeting of the Wyoming Bar Association in Riverton, Wyoming, on September 1, 1966, a brief discussion of the so-called "Pima County Screening Plan," which involves a new and different approach to medical malpractice cases. This plan and similar plans were discussed by Dr. Brendan Phibbs, of Casper, a representative of the State Medical Society, and by the Chairman of the State Bar Committee, Houston G. Williams. (See discussion immediately following this report.)

The Medical-Legal Joint Committee of the Wyoming State Bar recommends that the President of the Wyoming State Bar appoint a committee to study the matter of medical malpractice claims, with particular reference to the "Pima County Screening Plan," or similar plan, and to cooperate with the Wyoming State Medical Society Committee which is working on this problem.

The State Bar Committee at this time makes no specific recommendations regarding the details of any such proposed plan in the State of Wyoming, or of the manner in which the same should be implemented. However, the State Bar Committee respectfully recommends that serious consideration be given to putting such a plan into effect in Wyoming, although the committee takes no position for or against such plan. It would appear to the committee that if a plan is adopted, the best way to make it effective would be by rule of the Supreme Court of Wyoming. If the Wyoming State Bar agrees after a study that such a plan should be put into effect and that it should be done by Supreme Court rule, then the matter should be referred to the Permanent Rules Committee of the Supreme Court and to the Supreme Court itself.

Respectfully submitted,  
Houston G. Williams, Chairman  
R. Jerry Hand  
Dean W. Borthwick

**A NEW APPROACH TO MEDICAL MALPRACTICE**

*Dr. Brendan Phibbs:*

The patient who has suffered injury by reason of negligent or inadequate medical care very often has a difficult time recovering damages due him. This is true for a couple of reasons. The chief reason, of course, is that expert testimony of medical malfeasance or malpractice is very hard to come by. In the second place, many innocent, well trained, hard working, competent physicians have

been harassed and heckled by suits for malpractice which had no foundation in fact, and which are often launched as simply nuisance suits. These two failings in our present malpractice system really stand between the patient with a just claim and his recompense.

The Wyoming State Medical Society has no interest in protecting knaves or fools; the incompetent and the dishonest are no more welcome in our Society than they are in the Wyoming Bar Association, or any other professional group, and we are certainly ready to aid in weeding them out. On the other hand, we do not wish to see competent, reputable medical men subjected to the mental anguish which attends litigation, when in fact such litigation may have no basis in fact.

This is not the first State to take a hard look at this situation, since it is a problem which is universal. In some twenty or twenty-two other States, measures have already been taken to correct both of these sources of inequity. In each case, the States have had recourse to a medical-legal review board of some type with a dual purpose. The purposes of a medical-legal review board as currently set up in many States are two: first, to give an objective review by acknowledged medical experts of the actual facts in a case, and to give an opinion as to whether grounds for litigation really exist. Second, the function of such a board is to help provide expertise if true negligence or malfeasance can be demonstrated.

This must be done at a fairly high level. It is extremely difficult to procure expert medical testimony from one physician in a small community when there may be only two or three physicians practicing in that community. Put yourself in the position of a physician who must practice for the rest of his professional life with one or two other doctors, or three or four, in any of the smaller towns of our State. Now imagine that you are called upon to testify against the medical competence, good faith, or skill of one of the men with whom you must be closely associated for the rest of your professional life. With rare exceptions, this places the medical witness in an almost intolerable position. Therefore, the source of expert opinion must come from a relatively remote area, at least at the State level, and must be outside the range of personal factors, professional association, friendship, and the like.

The technical details of implementation of such a review board will be discussed by Mr. Williams. One or two points are worthy of mention from a medical standpoint. In the first place, the board must contain a sufficiently large and sufficiently representative cross-section of the medical community so that expert opinion is available on any situation which may arise. Second, the board must be empowered to obtain outside expert opinion in certain specialized cases in which they may not feel they have full competence. Third, in many States the review board makes an agreement with plaintiff that if

the plaintiff agrees to abide by the decision of the review board, it, the review board, will then be bound to furnish expert testimony. These board's proceedings and findings are always kept secret, and plaintiff is still free to proceed with litigation, even if the board finds against him. For specific details of the legal mechanics and organization of such a project, we will now hear from Mr. Williams.

*Mr. Williams:*

The President of the Wyoming State Bar, Elmer Scott, at the beginning of his administration, appointed a Medical-Legal Joint Committee consisting of myself, Houston G. Williams, Robert J. Hand, and Dean W. Borthwick. As Chairman of this Committee, I was contacted by Dr. Phibbs, and we have discussed at length the need for, and the manner in which professional liability claims against members of the medical profession might best be handled in the State of Wyoming. We have reviewed the so-called "Pima County Screening Plan" in the State of Arizona, which appears to be the forerunner of the most of these types of plans.

Some of these plans are put into effect by a joint agreement between the State Bar Association and the State Medical Association of the particular State. It seems to your State Bar Committee, however, that the best method for implementing such a procedure is by rule of the Supreme Court of Wyoming. We have found that in New Jersey they have put into effect as a rule of the Supreme Court of the State of New Jersey, Rule 425b, which is entitled "Professional Liability Claims against Members of the Medical Profession; Procedure." This Rule contains the complete procedure for the obtaining of expert witnesses in medical malpractice cases. The Rule establishes a panel of doctors, former judges, and lawyers, and provides that all persons claiming damages by reason of injury or death resulting from alleged medical negligence shall be encouraged to make an informal and voluntary submission of their claim against any and all doctors against whom they believe there is a reasonable basis for claim, to a sub-panel for evaluation either prior to or after the institution of legal action. Under this Rule the claim is made on forms provided by the Administrative Director of the Courts. The Director then notifies the doctor, or doctors, of the claim, and requests their consent to a hearing before the sub-panel. The notice advises the doctor to consult with his attorney and insurance carrier before giving consent. Upon receipt of the claim and consent, the Administrative Director of the Courts notifies the claimant and his attorney, and the doctor and his attorney, of the date, time, and place of the hearing, and invites them to attend. The doctor, his personal counsel, and counsel for insurance carrier, as well as claimant and his counsel, may attend. The claim is then submitted to a sub-panel of persons composed of two doctors, two attorneys, and a for-

mer Justice of the Supreme Court, or former Judge of the Superior, or County Court.

The claimant may set forth the facts before the sub-panel in whatever form he thinks appropriate. He may do so in the form of a narrative statement by his lawyer, or in the usual courtroom form of question and answer, or by written statement. Witnesses may be called or sworn, or unsworn statements of witnesses may be produced. With the consent of claimant, the attorney for the doctor may question the claimant, or a witness. When the claimant has finished with his presentation, the doctor may in like manner put forth his version of the facts in any form he thinks appropriate. With the consent of the doctor, the attorney for the claimant may question the doctor or his witness. Both parties, through their respective attorneys, produce the original or copies of all hospital and other records, including readings, x-rays and reports necessary to a full presentation of the facts. After an evaluation of the information submitted, the sub-panel advises the parties and their attorneys either "We find that there is a reasonable basis for the claim," or "We find that there is no reasonable basis for the claim." No opinion is given with respect to the extent of damages. When the sub-panel advises that there is no reasonable basis for the claim, it recommends to the plaintiff either that no legal action be instituted, or if legal actions are pending, that they be discontinued. When the sub-panel advises that there is a reasonable basis for the claim, it recommends that an amicable settlement of the claim be considered.

The next feature of the New Jersey Rule is one which will undoubtedly cause some controversy among lawyers. This is the provision that the claimant may, but need not, agree in writing in advance not to institute legal proceedings or to dismiss any proceedings that may be pending in the event the sub-panel is of the opinion that there is no reasonable basis for the claim. If the claimant does agree in writing, and if the sub-panel is of the opinion that there is a reasonable basis for the claim, the Administrative Director will supply the names of three expert medical witnesses from the list compiled by the Medical Society of New Jersey, all or any to serve at a reasonable fee.

On the other hand, if the sub-panel is of the opinion that there is no reasonable basis for the claim, the attorney for the claimant shall be precluded from initiating any action on behalf of the claimant, or if an action has previously been instituted, he shall withdraw therefrom. This does not prevent the claimant from obtaining other counsel if he so desires.

As Dr. Phibbs has previously indicated, the proceedings, records, findings, and recommendations of the sub-panel are confidential, and shall not be used in any other proceedings, or be otherwise disclosed without the consent of all parties. No records are made

of any proceedings, and all exhibits are returned at the conclusion of the proceedings to the parties submitting them. The Rule further provides that the circumstances under which an expert medical witness will be made available, or the fact that he was made available under this Rule, shall not be made known to the trier of facts.

Finally, the Rule provides for a re-hearing upon the affirmative vote of three members of the sub-panel.

The New Jersey Rule is just one of the methods which has been adopted in other States to obtain medical witnesses in medical malpractice cases. It seems to your Committee to be the best way to accomplish this, Mr. President, the Medical-Legal Joint Committee of the Wyoming State Bar therefore submits its report, which you will note recommends that the President of the Wyoming State Bar appoint a committee to study the matter of medical malpractice claims with particular reference to the "Pima County Screening Plan" or similar plan, and to cooperate with the Wyoming State Medical Society in working out details of such a plan.

#### **REPORT OF LAW DAY, U. S. A. COMMITTEE**

We appointed a Law Day Chairman in each of the 23 counties and had definite activity in 17 of the counties. The American Bar Association published considerable material in connection with Law Day, U. S. A., which consisted of background matter for speeches and a complete brochure on both material, supplies and planning guides for various type programs that could be conducted in various localities. This material was utilized state-wide. While the programs in Wyoming varied somewhat from county to county, it appears that the general type program was conducted through the various news medias, such as, newspapers, radio and television, and also a considerable emphasis was placed in some counties with programs being channeled through pulpits, schools and service clubs. Likewise, a number of booklets, leaflets, window displays, gum stickers for outgoing mail, as well as proclamations by various mayors, were in evidence.

All in all, I think that the various committee chairmen in the several counties are to be highly commended for a job well done. As always, however, I feel that this program should be expanded and that the Wyoming State Bar, as an organized bar, should perhaps enter the contest on award of merit through the American Bar Association on its Law Day, U.S.A. Programs in the future. Using the information which has gone before and by appointing the state chairmen early and organizing the county chairmen as soon during the year as possible, perhaps a unified, cohesive program state-wide could be worked out, and if the plans and details can be formalized in sufficient time, this plan could be submitted and Wyoming thus considered along with various others who follow this activity for consideration as a contestant in the Award of Merit Program.

It is your chairman's belief that this will also create additional interest in the program, which, as I personally view it, is one of the very best type things that the Bar can do, both for the country as a unit and for our citizens individually and collectively. It can become a great force with our young people in properly orienting them, or re-orienting them, towards American principles during times when various ideologies are contesting for the minds of the young people of the country.

It is interesting to note that in the 1966 evaluation report published by the ABA it has been declared that this year the observance was conducted between April 25th and May 2nd throughout the United States and in more than a dozen foreign countries and on reports from about 20% of the known Law Day Chairmen throughout the United States, it is estimated 40,000 separate programs were held nationally with possible attendance exceeding seven million persons. These figures represent more than double of the reported events and participants in the year 1965. It is obvious, therefore, that the programs has discarded its swaddling clothes and is on the move. We would like to see Wyoming stay with that movement and perhaps become a leader in the field.

With Wyoming's geography and population spread and centered as it is in various localities, it is difficult to centralize the program. I would, therefore, like to see the county and bar district arrangements continued, but with increased effort at the same time on the state level to include proclamation by the governor of the state and more official pronouncements by various mayors. It would seem that this emphasis, coupled with its already grass-roots nature, will promote the program more effectively and reach a broader base of the general public.

In these days when a word on almost everyone's tongue is "Rights," which includes minority rights, property rights, teenagers' rights, job seniority rights, etc., it might be well that the Bar be a leader in reminding everybody that they have "responsibilities."

Respectfully submitted,  
R. R. Bostwick  
General Chairman

#### REPORT OF THE WYOMING STATE BAR NECROLOGY COMMITTEE

The Necrology Committee of the Wyoming State Bar Association reports that since we last met, the Association has suffered the loss of thirteen of its respected members.

JOSEPH GARST, JUDGE GEORGE A. LAYMAN, PAUL B.

LORENZ, G. R. McCONNELL, ROBERT J. MURPHY, LOUIS J. O'MARR, WALTER PHELAN, ALLEN H. STEWART, JOHN F. SULLIVAN, VERNE NELSON THOMAS, HARRY A. THOMPSON, DICK WESTRA and MARTIN W. LITTLETON will be remembered by this Association as respected members of the profession and for their respective contributions to its growth and service to the people of the State of Wyoming.

#### JOSEPH GARST

Joseph Garst, a well known Douglas Attorney, was born in Greenville, Ohio, on November 16, 1884, and passed away September 14, 1965 after a sudden illness.

After graduating from the University of Colorado, he opened his first law practice in Fort Collins, Colorado, and came to Douglas in 1917 when he joined the law firm of Harvey and Hawley. Before World War II Mr. Garst and his family moved to California, but remained there only a short time. Upon his return to Douglas, Mr. Garst became a partner of Richard Maurer, which partnership lasted until Mr. Maurer's death in 1962. At the time of his death Mr. Garst was practicing in Douglas in partnership with Patrick Hand.

Mr. Garst was well known throughout Wyoming, having been active in the Republican Party. At one time Mr. Garst served as a United States District Court Commissioner in Douglas. He was active in community affairs and served several terms on the local school boards.

His survivors include his wife, the former Doris Shannon, who has written a number of books about western historical characters under the pen name of Shannon Garst. His other survivors are a daughter, Mrs. Barbara Spurlock of Lander, two sons, Joseph Garst of New York City and Warren Garst, a photographer, who is working in British Guiana.

#### GEORGE A. LAYMAN

George A. Layman was born in La Crosse, Wisconsin on November 10, 1893. He received his legal education at the University of Wyoming and moved to Sheridan in 1928. Judge Layman served as District Judge of the Fourth Judicial District for twelve (12) years until the end of 1962. Mr. Layman was a member of a number of fraternal organizations and was a charter member of the Sheridan Kiwanis Club and its first president. He was a member of the Sheridan Country Club for many years and served as its president three times. At one time he was one of the top ranking golfers in the State of Wyoming.

Judge Layman died on November 13, 1965, at the age of 72

years. He is survived by his widow, Velma Beaumont Layman, and a brother, Fred Layman of Casper.

#### G. R. McCONNELL

G. R. McConnell was born on a homestead in Kansas on January 29, 1889. In 1909 Mr. McConnell entered the University of Colorado and during his attendance at school he was a member of the Colorado University football team which won the Rocky Mountain Championship in 1913. He moved to Laramie after receiving a law degree in 1914. In 1915 Mr. McConnell became the Laramie High School coach and coached boxing at the University of Wyoming.

During his 50 years of practice of law in Laramie, he served as City Attorney, County Attorney, Bar Association President, and as a Zoning Board member. Mr. McConnell was respected by the other members of the Bar as a vigorous and able advocate. Mr. McConnell was active in community affairs and held the office as Episcopal Church Chancellor under four Bishops. He also served as U. S. District Court Commissioner and as a City Planning Commissioner.

Mr. McConnell died on November 4, 1965 in Laramie and is survived by his widow; two daughters, Maxine Christensen and Julie Duffy of Laramie; and two sons, John W. McConnell and G. R. McConnell, Jr., of Laramie.

#### ROBERT J. MURPHY

Robert J. Murphy was born, raised and educated in Casper, Wyoming. He served as a bomber pilot in World War II and was discharged in 1946. He received his law degree from the University of Wyoming in 1949. While at the University, Mr. Murphy was Student Body President and President of the Potter Law Club. After graduating from law school, Mr. Murphy served as Assistant County Attorney for five years and then entered the private practice of law. Since that time and at the time of his death, he was a partner in the law firm of Mahoney and Murphy.

He was first elected to the State Senate in 1956 and was serving his third term in that capacity at the time of his death. He was a member of the Judiciary Committee and the Mines and Minerals Committee of the Senate, and Chairman of the Insurance Sub-Committee of the Wyoming Statutes Revision Committee. Senator Murphy was the sponsor of notable legislation in the State Senate and was considered as one of the leaders of that body.

Senator Murphy was active in community affairs and served as District Commissioner of the Boy Scouts, President of the Junior Chamber of Commerce and National Director of the Junior Cham-

ber of Commerce. In 1954 Senator Murphy received an award from the Junior Chamber of Commerce as the most outstanding young man.

Senator Murphy died on May 14, 1966. He is survived by his widow, Sally, and children of Casper.

#### WALTER B. PHELAN

Walter B. Phelan was born in Cheyenne, Wyoming, on April 20, 1921. He received his preparatory education in Creighton University and received his Bachelor of Arts Degree in 1942. He received his law degree cum laude from Georgetown University in 1948. Mr. Phelan served as municipal judge for the City of Cheyenne from 1948 to 1950. He served as Representative in the State Legislature from Laramie County from 1949 to 1951. He was again elected to the State House of Representatives in 1959 and was Speaker of the House of Representatives at the time of his death. He served in the capacity of Laramie County Prosecuting Attorney from 1951 until 1958.

Mr. Phelan served as an officer in the Medical Administrative Corps of the United States Army and served in the South Pacific and the Phillipines during World War II.

Mr. Phelan was active in democratic politics in the State of Wyoming and served as State Democratic Chairman from June 1961 until his resignation in December 1964. He was an active and articulate legislator and respected in legal and political circles.

Mr. Phelan died in Cheyenne, Wyoming, on May 30, 1966. Surviving him is his widow, Elizabeth, and two children, Bernard and Ann.

#### PAUL B. LORENZ

Paul B. Lorenz was born in Vinton, Iowa, on September 2, 1902. He attended the University of Colorado at Boulder and received his law degree from the University of Denver Law School in 1925. He was admitted to the Colorado Bar and practiced law in Denver, Colorado, until January of 1936. In 1936 he was admitted to the Wyoming State Bar where he continued in private practice in Cheyenne, Wyoming, until his death. Mr. Lorenz was an able advocate in the courtroom and an industrious and wise counsellor in the office.

Mr. Lorenz died on February 26, 1965 and left surviving him his widow, Mildred.

#### ALLEN H. STEWART

Allen H. Stewart was born April 14, 1917 in Aurora, Nebraska. He graduated from the University of Wyoming Law School in March of 1942. After his graduation he entered the Army as a Lieutenant

in the Infantry. In 1944 he was wounded in Germany and returned as a Major from the Army in 1947. Mr. Stewart was decorated with the Purple Heart and Bronze Star for Valor in the service.

In 1947 Mr. Stewart entered the practice in law in Casper, Wyoming, and continued the practice in partnership with Fred W. Layman until his death. He served as Assistant County and Prosecuting Attorney in Natrona County from 1947 until 1951. Mr. Stewart served as the City Attorney for the City of Casper and was a Past President of the Natrona County Bar Association. Mr. Stewart was active in community affairs in Casper and served as a member of the official board of the First Methodist Church in Casper, Past Commander of the American Legion, and as President of the Casper Lions Club in 1952. He was District Governor of the Lions Club from 1957 to 1958 and held the position of International Counselor of Lions International since 1958.

Mr. Stewart died on March 22, 1966, and is survived by his widow, Patricia, and three children.

#### JOHN F. SULLIVAN

John F. Sullivan was born in Laramie in 1913 and graduated from the University of Wyoming in 1935 and received his law degree from the University of Wyoming in 1937. He then joined his father, J. R. Sullivan, in the practice of law in Laramie. He served as City Attorney in 1941 and 1942. Mr. Sullivan served with Navy Intelligence in World War II. He was a member of the University of Wyoming Board of Trustees from 1960 to 1963. Mr. Sullivan served six sessions in the Wyoming Legislature, from 1947 through 1954, and again in 1957 and 1963. At the time of his death he was seeking reelection for a seventh term.

Mr. Sullivan practiced law in Laramie until his death on July 27, 1966. He left surviving him his widow, Eloise, three children, two brothers, a sister, and his mother, Mrs. J. R. Sullivan.

#### VERNE NELSON THOMAS

Verne Nelson Thomas was born on May 18, 1896 at Adams, Nebraska and received his law degree from the University of Wyoming in 1924. He served as Town Clerk for the Town of Shoshoni and at the time of his death was a retired Attorney. He was a member of the Wyoming Bar Association, Masonic Lodge, Veterans of Foreign Wars and the Lions Club.

Upon his death on August 12, 1966, he was survived by his widow; two sons, David Thomas from Riverton and Larry Thomas from Thermopolis; and five grandchildren.

**HARRY A. THOMPSON**

Harry A. Thompson was born and raised in Cheyenne, Wyoming. He received his Bachelor of Arts Degree from the University of Wyoming and graduated from the University of Wyoming Law School in 1949. Mr. Thompson served in the United States Army from March 1943 through December of 1945. He was a B-25 pilot at the time of separation from the Army and was a Retired Reserve Captain, Judge Advocate General Corps.

From May, 1949 to August of 1954, Mr. Thompson was engaged in the general practice of law in Cheyenne. In 1949 and in 1950 he served as Assistant and Deputy Attorney General. From 1952 to 1953 he served as Assistant U. S. District Attorney and served as City Attorney for Cheyenne for part of the year of 1953. From August of 1954 he was employed by the Marathon Oil Company as an attorney in the Casper Division Legal Department and at the time of his death was attending Yale University.

Mr. Thompson was active in community affairs having served on the Board of Directors of the Rotary Club, as a charter member of the YMCA and member of its Board of Directors, and a member of the Elks Lodge, Casper Country Club and a member of the United Church of Christ.

At the time of his death he was survived by his widow, Betty Jean, and two daughters.

**DICK WESTRA**

Dick Westra was admitted to practice in Wyoming in 1920. He served as County and Prosecuting Attorney in Evanston from 1923 through 1927. Mr. Westra served as Assistant Attorney General for the State of Wyoming for a few years prior to 1942. In 1942, he was employed as an attorney for the O. P. A. in Cheyenne, Wyoming. Ten years prior to his death he retired and lived in Monterey, California.

Mr. Westra was 73 at the time of his death and left surviving him two daughters, Maxine Elves and Arvilla McKim, five grandchildren and four great grandchildren.

**LOUIS J. O'MARR**

Louis J. O'Marr was born on July 25, 1882. He graduated from the University of Minnesota Law School in 1904 and was admitted to practice that year in the State of Wyoming. He continued to practice in Sheridan until January 1942. In 1942 Mr. O'Marr became Attorney General and served in that capacity until January 1947. The Indian Claims Commission was established in 1947 and Mr. O'Marr

was one of the three original appointees to the Commission. He served with distinction as a member until his retirement in August of 1959. Upon retirement he then returned to Sheridan.

Mr. O'Marr served on the State Board of Law Examiners for a number of years and for a period of that time served as Chairman of that Board. Mr. O'Marr enjoyed a reputation for honesty and integrity and was considered by all attorneys to be a very fine lawyer.

Mr. O'Marr died on June 27, 1966, and left surviving him a son, James L. O'Marr and a daughter, Elizabeth O'Marr Lloyd.

#### MARTIN LITTLETON

Martin Littleton was born in 1897 and was a graduate of Princeton University and Columbia University Law School. He was a widely known attorney and Republican party leader in New York State before becoming a rancher near Cody in 1942.

Mr. Littleton was elected District Attorney of Nassau County, New York, in 1934, and was temporary chairman of the New York State Republican Convention in 1936 and gave the keynote address at that convention.

He served with the United States Navy during World War I.

Upon his death in Cody, on August 29, 1966, he was survived by his wife, Marion Carroll; two daughters, Louise Littleton Roberts of Kaycee and Susan Littleton Peterson of Cody; a son, Lt. Martin Littleton, Jr., of Vallejo, California; 12 grandchildren and one great grandchild.

**NOW THEREFORE, BE IT RESOLVED**, that the Wyoming State Bar, at its regular annual meeting held in Riverton, Wyoming, on September 1, 2, and 3, 1966, does hereby pay its respects to the members above named, in recognition of their many services and contributions to the legal profession and the people of the State of Wyoming, and that their memory be perpetuated by spreading this Resolution upon the minutes of the meeting of the Wyoming State Bar.

**AND BE IT FURTHER RESOLVED**, that a copy of this Resolution be forwarded to the families of these distinguished members of our profession.

Respectfully submitted,  
Kenneth W. Keldsen, Chairman  
Wade Brorby  
Leonard E. Lang

1967

WYOMING BAR PROCEEDINGS — 1966

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## REGISTRATION AT WYOMING STATE BAR CONVENTION

## Riverton, 1966

Andrews, F. M. and Mrs. ....	Riverton, Wyoming
Applegate, James L. ....	Sheridan, Wyoming
Armstrong, Reuel and Mrs. ....	Rawlins, Wyoming
Baker, B. J. and Mrs. ....	Casper, Wyoming
Barton, William E. ....	Casper, Wyoming
Barvick, William A. ....	Kansas City, Missouri
Bath, Robert L. and Mrs. ....	Rock Springs, Wyoming
Bentley, Judge Vernon G. and Mrs. ....	Laramie, Wyoming
Bon, William S. and Mrs. ....	Casper, Wyoming
Bostwick, R. R. and Mrs. ....	Casper, Wyoming
Brimmer, Bud and Mrs. ....	Rawlins, Wyoming
Brorby, Wade and Mrs. ....	Gillette, Wyoming
Brown, Judge C. Stewart and Mrs. ....	Kemmerer, Wyoming
Burdett, Fred and Mrs. ....	Evanston, Wyoming
Burgess, Bob and Mrs. ....	Casper, Wyoming
Burgess, Henry A. and Mrs. ....	Sheridan, Wyoming
Burns, David Norman ....	Jackson, Wyoming
Cardine, J. and Mrs. ....	Casper, Wyoming
Case, Sterling ....	Cheyenne, Wyoming
Casselman, Kyle and Mrs. ....	Torrington, Wyoming
Castberg, James A. and Mrs. ....	Powell, Wyoming
Chaffin, Robert N. and Mrs. ....	Cheyenne, Wyoming
Chapin, Donald E. and Mrs. ....	Cheyenne, Wyoming
Christenson, Cullen Y. and Mrs. ....	Provo, Utah
Copenhaver, Ross D. and Mrs. ....	Powell, Wyoming
Copridge, Richard M. and Mrs. ....	Casper, Wyoming
Crofts, Jack and Mrs. ....	Lander, Wyoming
Crowell, C. M. ....	Casper, Wyoming
Daniels, Judge T. C. ....	Casper, Wyoming
Dixon, John T. and Mrs. ....	Powell, Wyoming
Dumbrill, Richard ....	Newcastle, Wyoming
Everett, W. Hume ....	Casper, Wyoming
Files, T. J. and Mrs. ....	Denver, Colorado
Forrester, Bob and Mrs. ....	Casper, Wyoming
Garbutt, Philip and Mrs. ....	Sheridan, Wyoming
Garrett, L. R. and Mrs. ....	Lovell, Wyoming
Geraud, Joseph R. and Mrs. ....	Laramie, Wyoming
Ginsburg, Herman and Mrs. ....	Lincoln, Nebraska
Godfrey, Paul B. ....	Cheyenne, Wyoming
Gorrell, Floyd and Mrs. ....	Worland, Wyoming
Grant, William W. ....	San Francisco, California
Gray, Morris G. and Mrs. ....	Casper, Wyoming
Gray, Justice Norman B. and Mrs. ....	Cheyenne, Wyoming
Greenlee, Greg and Mrs. ....	Casper, Wyoming
Guthrie, Judge Rodney M. and Mrs. ....	Newcastle, Wyoming
Guy, George F. and Mrs. ....	Cheyenne, Wyoming
Halsey, E. S. ....	Newcastle, Wyoming
Hames, Gene ....	Denver, Colorado
Hamilton, Charles and Mrs. ....	Riverton, Wyoming
Hand, Jerry and Mrs. ....	Casper, Wyoming
Harnsberger, Justice Harry S. and Mrs. ....	Cheyenne, Wyoming
Harnsberger, J. S., Jr., and Mrs. ....	Lander, Wyoming
Harrington, John and Mrs. ....	Riverton, Wyoming
Harris, Harry L. and Mrs. ....	Evanston, Wyoming
Hathaway, Stan and Mrs. ....	Torrington, Wyoming
Herschler, Ed and Mrs. ....	Kemmerer, Wyoming
Hettinger, James and Mrs. ....	Riverton, Wyoming
Hickey, Justice J. J. ....	Cheyenne, Wyoming
Hopper, George W. ....	Denver, Colorado
Housel, Jerry W. ....	Cody, Wyoming
Hunt, E. A. "Ted" and Mrs. ....	Sydney, Australia
Hunt, Richard B. ....	Jackson, Wyoming
Illsley, Judge John P. and Mrs. ....	Sheridan, Wyoming
Ingle, Chester ....	Thermopolis, Wyoming
Joffe, Harold and Mrs. ....	Worland, Wyoming
Johnson, Harold M. and Mrs. ....	Rawlins, Wyoming

Johnson, Robert H. ....	Rock Springs, Wyoming
Jones, Henry T. ....	Cody, Wyoming
Keldsen, Kenneth and Mrs. ....	Rawlins, Wyoming
Kelly, Robert C. ....	Casper, Wyoming
Kendig, Ed. ....	Wheatland, Wyoming
Kennedy, David B. and Mrs. ....	Sheridan, Wyoming
Kepler, Charles G. and Mrs. ....	Cody, Wyoming
Kerr, Judge Ewing T. ....	Cheyenne, Wyoming
Kidneigh, Frank and Mrs. ....	Casper, Wyoming
Kidwell, R. Vern. ....	Idaho Falls, Idaho
King, Floyd. ....	Jackson, Wyoming
Kirsch, Ralph M. ....	Salt Lake City, Utah
Krebs, M. M. ....	Lander, Wyoming
Lambert, Tom. ....	Boston, Massachusetts
Lang, Leonard E. and Mrs. ....	Casper, Wyoming
Langdon, John T. and Mrs. ....	Worland, Wyoming
Lathrop, C. W. ....	Cheyenne, Wyoming
Laughlin, Robert B. and Mrs. ....	Casper, Wyoming
Lawyer, John D. and Mrs. ....	Denver, Colorado
Leedy, Dick and Mrs. ....	Riverton, Wyoming
Liamos, Paul T., Jr. ....	Newcastle, Wyoming
Lowe, R. S. and Mrs. ....	Rawlins, Wyoming
Lubnau, Thomas E. and Mrs. ....	Gillette, Wyoming
Mai, Harold L. ....	Cheyenne, Wyoming
Mai, Joseph F. and Mrs. ....	Torrington, Wyoming
Marden, Orison and Mrs. ....	New York City, New York
Miller, Thomas O. ....	Cheyenne, Wyoming
Mockler, Frank C. and Mrs. ....	Lander, Wyoming
Morgan, Tom and Mrs. ....	Gillette, Wyoming
Murane, E. E. and Mrs. ....	Casper, Wyoming
McClintock, James G. ....	Casper, Wyoming
McDaniel, Howell C., Jr., and Mrs. ....	Casper, Wyoming
McIntyre, Justice John J. ....	Cheyenne, Wyoming
Nicholas, W. J. and Mrs. ....	Lander, Wyoming
Nicholas, Tom and Mrs. ....	Casper, Wyoming
Oberst, Robert J. and Mrs. ....	Sheridan, Wyoming
Patrick, Holly Hunter, Jr., and Mrs. ....	Powell, Wyoming
Parker, Justice Glenn H. and Mrs. ....	Cheyenne, Wyoming
Pearson, Judge Allen A. ....	Cheyenne, Wyoming
Pence, Al and Mrs. ....	Rawlins, Wyoming
Pollock, Donald W. ....	San Francisco, California
Quinn, John J. ....	Laramie, Wyoming
Rames, John O. and Mrs. ....	Laramie, Wyoming
Ranck, Robert B. and Mrs. ....	Jackson, Wyoming
Redle, Austin T. and Mrs. ....	Sheridan, Wyoming
Reynolds, Otis and Mrs. ....	Sundance, Wyoming
Ross, Vincent A. and Mrs. ....	Cheyenne, Wyoming
Rudolph, George and Mrs. ....	Laramie, Wyoming
Sackman, Jana. ....	Riverton, Wyoming
Sawyer, George P. ....	Torrington, Wyoming
Scott, Elmer J. and Mrs. ....	Worland, Wyoming
Schwartz, Bill and Mrs. ....	Casper, Wyoming
Seipt, Robert and Mrs. ....	Riverton, Wyoming
Sievers, Robert W. ....	Pinedale, Wyoming
Sigler, Robert. ....	Torrington, Wyoming
Simpson, Alan K. and Mrs. ....	Cody, Wyoming
Slaughter, Donald O. and Mrs. ....	Cheyenne, Wyoming
Soderholm, Netta Bell. ....	Riverton, Wyoming
Spangler, Judge J. O. ....	Cody, Wyoming
Spence, G. L. and Mrs. ....	Riverton, Wyoming
Sperry, James H. ....	Worland, Wyoming
Spiker, Donald and Mrs. ....	Riverton, Wyoming
Spriggs, John J. ....	Lander, Wyoming
Sullivan, Joseph and Mrs. ....	Douglas, Wyoming
Sullivan, Michael J. and Mrs. ....	Casper, Wyoming
Svilar, Michael. ....	Hudson, Wyoming
Swainson, Clarence and Mrs. ....	Cheyenne, Wyoming
Swan, Oscar and Mrs. ....	Denver, Colorado
Thatch, Bill and Mrs. ....	Lovell, Wyoming
Thomas, Ralph E. and Mrs. ....	Lander, Wyoming

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Tilker, James A. and Mrs. ....	Cheyenne, Wyoming
Tobin, Dick .....	Casper, Wyoming
Trelease, Frank J. and Mrs. ....	Laramie, Wyoming
Tschirgi, Arnold and Mrs. ....	Lander, Wyoming
Urbigkit, Walter and Mrs. ....	Cheyenne, Wyoming
Walrath, Louis .....	Thermopolis, Wyoming
Watt, Tim R. and Mrs. ....	Casper, Wyoming
Wehrli, W. J. ....	Casper, Wyoming
White, Donald and Mrs. ....	Riverton, Wyoming
White, Judge Philip and Mrs. ....	Cheyenne, Wyoming
White, Ward A. ....	Cheyenne, Wyoming
Whitley, Thomas L. ....	Newcastle, Wyoming
Wilkerson, Ernest and Mrs. ....	Casper, Wyoming
Wilson, James H. and Mrs. ....	Rapid City, South Dakota
Wilson, James O. and Mrs. ....	Cheyenne, Wyoming
Winter, Elmer C. and Mrs. ....	Lander, Wyoming
Yonkee, Lawrence A. ....	Sheridan, Wyoming
Zaring, James A. and Mrs. ....	Basin, Wyoming