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College of Law - Dean's Annual Report - 1962-1963

Wyoming State Bar

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Respectfully Submitted,

R. R. Bostwick

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COLLEGE OF LAW

Dean's Annual Report — 1962 - 1963

INTRODUCTION

The year 1962 - 1963 was a year of many changes for the University of Wyoming Law School, but the school continued its function of training students for professional responsibility and as attorneys and public servants, and of serving the State as a center of legal research and continuing legal education. A number of new faces appeared on the faculty, as the result of two faculty members being on leave to teach at other schools, and two resigning. Student activities were at a new high level, but the fundamentals of instruction, practice and studies were not neglected. The faculty continued its high production of research and publication and of service in national and state professional organizations.

The year was marked by the making of many plans for the future. When the school was inspected by the American Bar Association's Section on Legal Education last year, the report was very favorable, the school being characterized as "an excellent small law school," but many suggestions were made for improvement. Most of these suggestions confirmed wants long felt by the faculty and administration, thus the report gave the impetus for improvement. Steps were taken to meet every one of these suggestions. In an effort to improve enrollment, the recruiting program was improved by increased liaison with pre-law students, two new scholarships were established to go into effect next year, and a campaign was started to increase the Wyoming Law Scholarship Fund. Plans were made and confirmed in a budget submitted to and approved by the administration and the legislature, for a substantial improvement to the law library, an increase in the law library staff, an increase in travel funds, and an increase in student employment possibilities and better pay for student research assistants and student library assistants.

STUDENTS AND STUDENT ACTIVITIES

The College of Law graduated 19 new lawyers in the class of 1963. Five of these went to other states, and fourteen were candidates for admission to the Bar of Wyoming. All nine of last year's candidates for admission to the Bar have successfully passed the bar examination. Two first year law students received the pre-legal degree of Bachelor of Science in Law. The College has a total of 70 students during the year, 62 enrolled full-time in law courses and 8 part-time students taking one or more law courses.

This year, since the State Bar meeting is held after school has begun, we can report on this year's enrollment. A record first year class enrolled—53, but four dropped out within the first week. Twenty of these are residents of other states who attended other colleges, six of them are Wyoming residents returning after attending other universities, four of them are non-residents who were undergraduates at Wyoming, and twenty-three are both Wyoming residents and took their pre-legal work at the University of Wyoming. With eighteen second year students and 19 seniors our enrollment is 86, still well below our record of 99 who attended shortly after World War II.

Student activities included the publication of Volume 17 of the Wyoming Law Journal, which contained articles by professors, the proceedings of the annual meeting of the Wyoming State Bar, and twenty student research papers. The Potter Law Club was very active this year in bringing to the campus a number of Wyoming attorneys, Messrs. Edward Murane of Casper, Al Pence of Laramie, George Millett of Laramie, Teno Roncalio and James Norris of Cheyenne. These lawyers gave talks on their specialties, and on such varied subjects as the American Bar Association and legal ethics. The Club also invited Mr. Paul Dannigar, Chief of Police of Casper, to speak on juvenile delinquency. The College of Law invited a number of judges, lawyers, and administrators as visiting lecturers. These included Chief Justice Glenn Parker of the Wyoming Supreme Court, who spoke on the legal profession, Gordon Davis of Laramie, who gave lectures on Domestic Relations, Jerald Hand of Casper, who dealt with criminal procedure, James Learned of Cheyenne, who described oil and gas leasing on public lands, Edward Kendig of Wheatland, who lectured on the banking article of the Commercial Code, and Donald Stocking and Robert H. Davenport of Denver, Colorado, whose topic was the Securities and Exchange Commission.

Judge Vernon Bentley again directed the Moot Court Program, in which students prosecuted and defended mock lawsuits derived from actual cases. Every one of the Justices of the Wyoming Supreme Court, the Honorable Glenn Parker, Chief Justice, the Honorable Harry S. Harnsberger, the Honorable John McIntyre, and the Honorable Norman Gray, participated in the appellate advocacy program. These Justices, together

with members of the faculty, read briefs and heard arguments by senior students.

An important step in establishing closer relations with pre-law students, and in stimulating their interest and giving them guidance, was taken by the formation of the Wyoming Association of Pre-Law Students. Professors Joseph Geraur and John Rames served as advisers, and a committee of the Potter Law Club aided in the formation of this group. The new Association heard law students, law professors and lawyers describe legal education and the practice of law.

Wyoming law students were very active in the affairs of the American Law Students Association. Six attended the regional meeting at Topeka, Kansas, and two went to national meetings in San Francisco and Chicago held in conjunction with meetings of the American Bar Association and the Association of American Law Schools. Mr. Samuel Ishmael, a second year student, was honored by being elected National Vice-President, the chief officer of the Tenth Circuit, a six-state region, and next year will direct the annual meeting of the circuit at Laramie. Every University of Wyoming law student joined the Association in its individual membership drive, and the school became the first to have 100% individual membership in the national group.

THE FACULTY

Two members of the faculty were honored by requests from nationally recognized law schools to serve as visiting professors. Dean Trelease spent the academic year at the University of Chicago Law School teaching Torts and Water Resources Law, and Professor Bloomenthal spent the spring semester at Duke University Law School teaching Securities Regulations and Mineral Resources Law. Associate Professor Roy Stoddard resigned. Very able replacements to fill these vacancies were found in Visiting Assistant Professor Dellas W. Lee, who came from graduate work at the University of Illinois, Visiting Assistant Professor J. Wooten Pearce, who had taught at Cumberland Law School, and Visiting Assistant Professor George W. Hopper, a graduate of this school in 1956, who has served with the Securities and Exchange Commission and practiced in Wyoming and Colorado. Mr. Lee has now joined the faculty of Denver College of Law, Mr. Pearce will do graduate work at Yale Law School, and Mr. Hooper has returned to the practice of law in Denver. The permanent replacement for Mr. Stoddard's position has been named for the coming year, and Mr. Glen W. Shellhaas, a practicing attorney from Ohio, will assume responsibility for the procedural courses and others. Mr. Shellhaas has an enviable reputation as a lawyer in Bellefontaine, Ohio, and has been a part-time teacher in the Ohio State University College of Law. The resignation of Law Librarian George Edward Trowsdale was accepted with regret; he had served the law school well for seven years. Mrs. Catherine Mealey, a graduate of the Law School of the State University of Iowa, and of the

University of Washington School of Law Librarianship, was named Law Librarian and Assistant Professor. Mrs. Mealey was placed in charge of the legal research and writing program. Professor E. George Rudolph was named Associate Dean while Dean Trelease was on leave, and furnished excellent guidance and management of the law school during the academic year.

FACULTY ACTIVITIES

The faculty was again active in professional affairs during the year. Dean Trelease and Professor Geraud attended the annual meeting of the Wyoming State Bar in Worland. Messrs. Trelease, Rudolph, Pearce and Lee, and Mrs. Mealey, attended the annual meeting of the Association of American Law Schools during the Christmas vacation. Dean Trelease was named Chairman of the Torts Round Table Council for 1963. Professor Rames attended the annual meeting of the Association of Western Law Schools at Portland, Oregon in April. He served as the state reporter of the American Bar Foundation's program on the handling of criminal defendants in the courts, and was editor of the report of the Committee on Indian Lands of the American Bar Association's Section on Mineral and Natural Resources Law. Professor Geraud continued his work as Reporter of decisions in the mountain states for the Oil and Gas Reporter published by the Southwest Legal Foundation. Professor Bloomenthal published an article on Administrative Law in Wyoming in the Wyoming Law Journal. He directed a symposium on the subject consisting of eleven articles by senior students, which was also published in the Journal. Professor Lee published an article in the Wyoming Law Journal on "Perfection and Priorities Under the Uniform Commercial Code." Dean Trelease published, as a part of a cooperative project of the University of Wisconsin Law School and the United States Department of Agriculture, an evaluation of the legal and economic aspects of water rights in Minnesota and Wisconsin. He reported on recent developments in Wyoming water law to the Section of Mineral and Natural Resources Law of the American Bar Association.

SERVICES TO THE STATE AND THE LEGAL PROFESSION

Two successful institutes were held under the auspices of the College of Law. In its continuing legal education program, the Law School, with the cooperation of the Joint Committee on Continuing Legal Education of the American Law Institute and the American Bar Association, presented a two day symposium on "Personal Injury Litigation." Sessions were held on settlement, demonstrative evidence, and medico-legal matters, moderated by Mr. Sidney P. Gislason of New Ulm, Minnesota, and featuring William H. DeParcq of Minneapolis, Minnesota, and Edward E. Murane of Casper, Wyoming as speakers. Associate Dean Rudolph directed this Institute. Professor Rames again took charge of the Legislators' School, held just before the legislature met in January. A total of 43 persons attended lectures and discussions on legislative procedure and drafting. There

were 28 legislators present, including 15 of the 18 newly elected members of the legislature.

As a part of the law school's summer research program, Professor Geraud prepared bills for the legislature on the hospitalization of mentally ill persons and on the appointment of guardians for incompetents. The first of these was adopted and represents a major change in our laws pertaining to mental health. Professor Bloomenthal served as Chairman of the Wyoming State Bar Committee on Administrative Law. Professor Rames continued to serve on the Wyoming Statute Revision Commission, and was named Chairman of the Sub-Committee on School Law. Dean Trelease continued as Chairman of the Wyoming Supreme Court's Rules Advisory Committee.

Respectfully Submitted,
Dean Frank J. Trelease

WYOMING PATTERN JURY INSTRUCTIONS INTRODUCTION

The Committee on Uniform Jury Instructions for the Wyoming State Bar was first appointed by President John P. Ilsley in 1961. Since that time it has been continued by President George P. Sawyer and President George J. Millett.

The Committee was largely activated and inspired by Roy Stoddard, Jr., who was then an associate professor of law at the University of Wyoming. Professor Stoddard was active on the Committee until his return to law practice in Iowa in 1962.

Free reference has been made to the California Jury Instructions, Iowa Uniform Jury Instructions and the Illinois Pattern Jury Instructions. The Committee was particularly impressed with the style, simplicity and theory of the Illinois Pattern Jury Instructions (IPI) and has attempted to model instructions for Wyoming in a similar manner.

We have attempted to compile and redraft instructions of more common use in jury trials. In doing so we hope we have provided an Instruction which is not slanted for either one side or the other, which is brief and understandable, and which will correctly state the law.

We believe that general acceptance of these instructions by the Bench and Bar will eliminate confusing instructions slanted first for one party then for the other, will make the law more understandable to the jury, and will thereby promote justice under the jury system. In addition, use of the Instructions should save many hours for the court and counsel which would otherwise be spent in drafting instructions and in determining from those submitted from each side which instructions should be given or refused or modified.