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JUSTICE SOURIS TO VISIT AS "SCHOLAR IN RESIDENCE": Justice Theodore Souris of the Michigan Supreme Court will visit the Law School next Wednesday through Friday as guest of the Lawyers Club to spend time in discussions with students as a "scholar in residence." The purpose of this special project is to give U. of M. law students the chance to make contact with a jurist in order to give the study of law the "third dimension of reality." Justice Souris will begin his visit with introductory remarks on the subject "Reappraisal of the Law--a Lawyer's Responsibility" at 6:30 P.M. on Wednesday, November 11 in the Lounge, followed by a question and answer session and an informal reception. His schedule will continue as follows: On Thursday, November 12, Justice Souris will be in the Dining Hall for an extended coffee hour between 8:30 and 9:45 A.M. At 10:00 A.M. and 2:30 P.M. there will be informal seminars with him in the Lounge. On Thursday evening, he will give a second talk on the subject "The Right to Counsel", again at 6:30 P.M. in the Lounge. On Friday morning there will be repeats of the coffee hour and the 10:00 seminar. Justice Souris will complete his visit by joining the faculty for their luncheon and meeting at Friday noon.

Speaking on Justice Souris' visit, Dean Smith said, "The opportunity to meet informally with a Supreme Court Justice does not come every day. I hope you can take advantage of this opportunity to meet with Justice Souris who is daily involved with the problems of administering justice, and the responsibilities of the members of the bar."

The program is informal and open, and Justice Souris--and the Board of Directors--hope for a large and interested attendance. The seminars and coffee hours will take the direction of whatever is on the minds of the students who attend them. Sign-up lists will be posted for the seminars in Hutchins Hall and in the Club vestibule--these are to gauge interest and not to set quotas. Please sign up.

NOTED APPELLATE PRACTITIONER SPEAKS TO STUDENTS: Mr. Frederick B. Wiener, a Washington attorney who is noted for his highly successful appellate practice, and who has appeared before the U.S. Supreme Court on 36 occasions, spoke at the Law School last night on "The Essentials of Effective Oral Argument." Mr. Wiener pointed out that effective delivery is highly important. He advised students to avoid such common pitfalls as speaking in a monotone, mumbling or presenting their argument as if they were ministers giving a sermon or a prayer.

He indicated that keeping the attention of the court is often a difficult task. About 80 per cent of the cases are really "dull as dishwater." While it may prove virtually impossible to keep the constant attention of the court, it is quite easy to get their attention for particularly strong points. He suggested that the use of the long pause is a highly useful vehicle for doing this since it creates a startling silence which will cause almost any judge to look up and take notice.

He stressed the importance of a good opening, stating that an attorney must be able to capsule his case in the first sentence. A good way to do this is to open with a statement of the principle issue in the form of a question which invites not only a degree of sympathy but also only one logical answer. Counsel should also present a clear statement of the facts. This should be done in broad, but accurate strokes. Mr. Wiener pointed out that an error in the statement of facts can seriously undermine the force of the whole argument. On the other hand, an overly detailed statement of the facts consumes valuable argument time. He also stated that the argument should not be organized like a brief with a full statement of the facts followed by a full statement of the law. Instead, he said, the facts relevant to one issue should be followed by a statement of the law relevant to that issue; then do the same with the next issue. Otherwise, he concluded, it becomes highly difficult for the court to follow the argument.

Wiener also indicated that counsel should know the record cold. This is a job which cannot be delegated. It is highly embarrassing to be asked a question which is answered by the record and yet be unable to answer; or, even worse, to be corrected by the opposition. In arguing, he suggested that counsel should maintain an attitude of "respectful intellectual equality." Counsel must guide the court since it can only find error as error is pointed out to it. On the other hand, Wiener warned of the adverse consequences of talking down to the court. No matter what the relative competence of the judge and the attorney are, this attitude of "respectful intellectual equality" should be maintained.

In preparing for argument, Wiener recommended that the lawyer rehearse and re-rehearse his presentation. He advocated getting as many reactions to the proposed argument as possible. He stated that this is the best way to bring out possible

questions the court may raise. It also aids in timing the argument. He also noted the importance of selecting only the strong points for argument. While the brief should be a selection of strong points the oral argument should hit on only the strongest of the points in the brief. The oral should not concern itself with points not easily argued or followed in an oral presentation. Furthermore, in budgeting time, excess time should not be spent on easily comprehended points. On the other hand, lengthy discussions of tough points should be avoided when not crucial to the case. He also stated that the argument should be presented in terms of principles.

An oral argument should also be flexible. If counsel sees that the court is sympathetic on one point, he should move on to the next. On the other hand, extra time should be spent on those points where the court is not sympathetic. Also, an attorney should never put off a judge's question by stating: "I'm coming to that." In the words of Justice MacReynolds, "You're there now." If the court asks a question, this means that it is interested in that point at that moment.

On the use of notes, Mr. Wiener recommended "topical notes" which outline the argument thoroughly and also contain cross references to cases, briefs and the record. He stated that a fully written text or an overly detailed outline leads to reading or near-reading. On the other hand, arguing without notes may impress the court with the attorney's ability but this only serves to distract its attention from the merits of the argument itself.

EDITOR'S WASTEBASKET: The case Clubs have announced the twelve semi-finalists in this year's Campbell Competition. They are: Kevin M. Beattie, J. Alan Galbraith, Gerald A. Goray, Duane H. Ilvedson, Jerome H. Kearns, Jesse E. Lasken, Thomas L. Ledbetter, Sanford Passer, John C. Provine, John T. Schmidt, Richard J. Smith and John M. Walker.

Prof. Kauper has had a book published entitled "Religion and the Constitution." It is based on the Edward Douglass White lectures which he delivered at Louisiana State University....Prof. Kimball recently had an article in the German publication, "Versicherungsrecht" comparing certain aspects of German and United States insurance law....Prof. Polasky recently attended the A.B.A.'s meeting of the Council of Real Property, Probate and Trust Law Section.

Dean Proffitt announces that classification and registration will take place as scheduled, next Thursday--Saturday, Nov. 12-14, in accordance with the procedures posted. Special attention is called to the fact that this year, registration will also take place early and within the Law School itself. It is pointed out, however, that tuition is neither due nor payable until January. Students should also note the fact that, next Wednesday, the \$10.00 Law School fee, may be paid in room 118. The Seminar "reserve list" will be posted prior to Thursday with the names of those signed up in advance for each seminar.

For those who find classification here unduly slow, we call your attention to a statement in the recent issue of the University of Texas Law Forum: "Registration, a la 1964, is over. For a few hundred students who toiled in line for upwards of six hours--Thank Goodness!"

FRESHMAN BRIEFS: This was examination week for some freshmen. What they didn't know, however, (besides the answers) was that the third page of the exam was mistakenly left out. As a public service we now reprint not only those questions they almost got, but also the answers. Study them well, they're looking good for the final.

DIRECTIONS: Mark these true (T) or false (F), no penalty for guessing. Sin bravely.

T or F

- \_\_\_\_\_ 1. Henry II of England was really trigger-happy.  
(False, Thomas Becket had his head chopped off.)
- \_\_\_\_\_ 2. Stephen I's foreign policy regarding Vietnam would be similar to both Johnson's and Goldwater's.  
(True. All three ignored it as a real issue.)
- \_\_\_\_\_ 3. The writ of novel disseisin could have been used by Senator Keating during the campaign.  
(True. You should have studied your Intro better, Ken.)
- \_\_\_\_\_ 4. The Domesday Book is a list of Republican candidates of 1964.  
(False. It's a list of those unpledged Southern electors.)

DIRECTIONS: Merely pick the one that is not related to the others in the set. Quite simple, huh?

- \_\_\_\_\_ 1. a. William the Conqueror b. Bobby Kennedy c. LBJ d. Fred Schmedlapp  
(Answer: LBJ. No one called him a carpetbagger)

- \_\_\_\_\_ 2. a. novel disseisin b. writ of right c. mort d'auncestor d. 1964 election  
(Answer: writ of right. It was not a summary action.)
- \_\_\_\_\_ 3. a. the barons at Runnymede (1215) b. Barry Goldwater c. Walter Cronkite  
c. Richard the Lionhearted  
(Answer: Walter Cronkite. He's not an extremist.)
- \_\_\_\_\_ 4. a. John I b. LBJ c. Fred Schmedlapp d. Richard Nixon  
(Answer: Fred Schmedlapp. They said he had "character.")

ESSAY: Compare and contrast in not less than 2500 words the development of the writ of trespass vi et armis in the NFL and NHL rulebooks.

Steve Petix and Art Dulemba

GRIDIRON PIX:

Michigan over Illinois	Purdue over Michigan State
Minnesota over Iowa	Ohio State over Penn State
Oregon State over Indiana	Wisconsin over Northwestern
Utah over Brigham Young	Alabama over LSU
Florida over Georgia	Notre Dame over Pittsburgh
USC over Stanford	Wyoming over Utah State
Nebraska over Kansas	Georgia Tech over Tennessee
Washington over California	Syracuse over Army
Princeton over Harvard	Dartmouth over Columbia
Cornell over Brown	Tulsa over Memphis State
	Cisco Grove over Arboga Tech

MISCELLANEOUS: Students are reminded that items for publication should be directed to the Res Gestae, 307 Hutchins Hall, where they must be received by Thursday noon. Short items may be phoned to 668-8277 before 6:00 P.M. Thursday.

AT THE FLICKS:

Campus: "The Visit"

Michigan: "Send Me No Flowers"

State: "Kitten with a Whip"

Cinema Guild: Fri.- "The Birth of a Nation"; Sat. "The Marriage of Figaro"

QUADSVILLE QUOTES:

The function of the preface is to ingratiate the author with the reader in a naive effort to forestall criticism by a show of modesty.

- G.W. Dalzell

Membership in the bar is a privilege burdened with conditions.

- Cardozo, J.