



1929

The President's Page

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Recommended Citation

Kvello, A M. (1929) "The President's Page," *North Dakota Law Review*. Vol. 6 : No. 7 , Article 2.
Available at: <https://commons.und.edu/ndlr/vol6/iss7/2>

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THE PRESIDENT'S PAGE

The 1929 annual review of legal education of the Carnegie Foundation for the advancement of teaching contains a review of several suggested methods for the "improvement of the legal profession on the practical and ethical side." The first is a renewal of the graded bar system that was part of our early history. The criticisms of this method are forcefully stated. The second proposed method is a periodical renewal of the attorneys' license. Several serious objections are pointed out against this method. The last one is that denominated as a Junior or Interlocutory bar. Under this plan the applicant, after passing the bar examinations, is given full right to practice in all courts but conditionally. After a certain number of years these privileges will expire unless confirmed by the Supreme Court. The report has this to say, in part, regarding the interlocutory bar:

"This plan, if properly worked out in detail, would avoid objections that may be urged on principle against the other two. In particular it cannot be fairly criticised as lengthening still further the period of preparation required before young men and women are permitted to begin their professional career. This career, if it ever begins at all, will do so at the precise moment where it begins now; namely, after applicants have been first admitted to practice. Deserving young practitioners who, during the next few years, have been successful in establishing professional connections will find the subsequent qualifying test in actual operation, little more than a formality. The few undeserving who will be excluded on ethical grounds have no claim upon our sympathy. The main end served by the test will be told. Even though liberally administered, as all experience indicates that it would be, it should reduce the number of those who engage in improper professional practices during these early habit forming years, and it will separate from the profession those who, after a reasonable period of trial, have been unable to secure a foot-hold."

Lloyd N. Scott of the New York City Bar, as a member of its committee on Legal Education, has made a careful study of the matter and this is the result of his best thought. He has made the suggestion that the period of conditional practice be limited to two years and has suggested the form of examination at the end of the two year period. Under his plan the candidate for final admission would be required to keep a diary of his legal work during the two years and furnish satisfactory evidence that his legal work and pecuniary transactions have been conducted in a satisfactory and businesslike manner; that he has lived up to the Code of Ethics prescribed by the Bar Association, and that he had then acquired sufficient responsibility for final admission to the Bar. The interlocutory bar plan has much to commend itself as a practical reform.—A. M. KVELLO, President.

REVIEW OF NORTH DAKOTA DECISIONS

State vs. Malusky: Ye Editor undertakes the task of reviewing this decision, knowing full well that whatever he may say may be misinterpreted, just as what the various members of the Supreme Court said may be, and probably has been, misinterpreted.

The Facts: Defendant pleaded guilty to engaging in the liquor traffic as a second offense; he was sentenced; later it was discovered that he had previously been convicted of grand larceny in Wisconsin and of perjury in Minnesota; he admitted both offenses; thereafter,