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The Year Ahead

By THOMAS M. BURGESS

Of Colorado Springs, incoming president of the Colorado Bar Association. These are the remarks made by Tom at the annual dinner of the Colorado Bar Association upon accepting the gavel upon his induction into office, Colorado Springs, October 18, 1947.

This administration takes over with the commencement of the tenth year since the reorganization of this association, and the adoption of the new by-laws in 1938. Although this is the 49th meeting of our association, the real accomplishments and developments of our bar have occurred during the last nine years. Each administration has fostered and carried out programs which have been to our benefit and to the benefit of our state.

During the past year on many occasions, I have been asked why our association does not sponsor more programs and does not carry on more activities. This reorganized association is after all but in its infancy. We may be at times inclined to take the accomplishments of the past as a matter of course, and we fail to recall the time and effort which prior administrations have expended in making our association what it is today.

It does not harm to hesitate a moment and recount our blessings, and for fear that we may become forgetful, I am now going to recall to your minds some of the accomplishments of the past nine years.

Prior to 1938 the total active membership of this association was approximately 200. The local associations were not necessarily a part of our state association. At the present time we have approximately 1400 active members of the association, and 18 local bar associations as an integral part of the state association. That has all been accomplished in the past nine years.

The various sections and subdivisions of the association have either been organized or revitalized. The District Attorneys' Association, the County Judges' Association, the District Judges' Association, the Junior Bar Section, the Water Section and the Section on Probate and Trust Law have all become special arms and integral parts of the Colorado Bar Association with an increase in membership and activities beneficial to all.

This association sponsored and carried through the preparation and adoption of our present Rules of Civil Procedure. After the adoption of the new Federal Rules of Civil Procedure a committee of this association was appointed under the able leadership of Colonel Van Cise, and as you well know our present Rules of Civil Procedure were prepared and adopted to conform insofar as possible with the Federal Rules of Civil Procedure. This was a program of your association.

But the association was not satisfied with limiting its reform measures to the rules of practice in the courts of the state. Two years ago a committee was organized again under the able leadership of Colonel Van Cise for presenting a program for judicial reform. That program has been thoroughly discussed and adopted today as the plan of this association. The carrying out of that plan must, of course, have the first and uppermost attention of your new administration, and every assistance must be given to our committee to see that that plan is carried through in accordance with your vote and mandate.

Then there is your Committee on Real Estate Standards which has worked hard and diligently over a period of years developing standards for use in examination of titles. Those standards were first adopted by the Denver Bar Association, and only last year 45 of those standards were adopted for the Colorado Bar Association at our convention. That committee has done an untold amount of work and has accomplished much and will continue to be an active and necessary part of the committees of this association.

And then there is the matter of publications. Do you realize that prior to 1938, there was no official publication of the Colorado bar? Since that time DICTA of the Denver bar has been enlarged and combined so that it now is the organ of the Colorado Bar Association. The loose-leaf service included in the distribution of DICTA has been developed to carry to you important information on decisions under the Rules of Civil Procedure, income tax and other matters of current importance. For the past few years we have had the privilege of receiving the advance publication of reports of the decisions of our Supreme Court. Because of increased cost of publication this service must be temporarily abandoned. We look forward to the time when this service can be revived. All of those things have been developed by and carried through as the result of the efforts of your prior administrations.

In 1938 it was decided to organize legal institutes for the benefit of all of the members of our association. That plan was getting well underway with active and important institutes being held when the war interrupted that activity. They have not regained their former position since the close of the war, but we hope during this coming year to carry out a more active program of legal institutes and to bring those institutes to your local associations around the state so that all of the membership of the association can have the benefit of information on technical and trying subjects.

All of these things and many more have been planned, developed and carried through during the prior administrations of recent years.

But what of the present administration and the future of our association? We are not satisfied to rest upon the laurels of the former administrations for the accomplishments of this association. We are looking forward to the development of new programs and new committees have been appointed for the carrying out of those programs.

For many years the need for revision of the criminal code has been known to all of us. A committee has been authorized to proceed with the work of revision of our criminal code, bearing in mind the model code which has been suggested by the American Bar Association. A new committee for that purpose has been appointed and it is now ready to function.

It is well known that there has been no proper revision or standardization of our printed forms for the last 50 years. It appears essential that we should have some revision and standardization of those forms, bringing them up to date and leaving out the antiquated and unnecessary portions. This administration has appointed a new committee that is now ready to function on the program of revision and standardization of forms.

Another new committee has been formed and the membership has been designated to be known as the Joint Committee of the Professions. It will be the purpose of this committee to attempt to meet with and work with committees of the various other professions with whom we have to deal in business and in court, so that our respective views can be exchanged and a common link and bond formed between us. It will be the purpose of that committee to work with committees of the physicians, dentists, the engineers and the certified public accountants.

We all realize that there has been a crying need for years for some modernization of our method of handling parole and probation and particularly in the handling of juvenile delinquents. This administration proposes to have a committee study a plan or plans to be submitted, for revision of the methods and conduct of parole and probation. That committee has been appointed and is ready to function.

The American Bar Association and various individual state bar associations have for several years been studying and putting into operation, a plan of public relations for the purpose of better acquainting the public with the problems which they face, when they should go to an attorney, and the accomplishments of the legal profession for the benefit of the public. A committee has been appointed and is ready to function to make a study of the plan suggested by the American Bar Association, and to make a study of the plans now in use by some of the state bar associations. If it appears feasible and proper that committee will make its recommendations for future use of a public relations committee.

For a number of years we have had no active committee on membership. There are many men in this state, who are either delinquent or have never been members of the state bar association. We see no reason why those men should not be sold upon the benefits to be derived from membership in our organization. A committee has therefore been appointed and is ready to function to make a drive to bring in all of the practicing lawyers in Colorado as members of this association.

All of the present plans and programs of the association will be carried

forward by this administration, and the new plans and programs suggested will be initiated and carried forward. We cannot hope to accomplish everything at one time, but we can at least make a start toward additional activities for our association, and that start will be made.

Because of the accomplishments of the past, it is with no small degree of temerity that I take over the leadership of your organization, following in the footsteps of those illustrious men who have gone before me. It is with pride, however, that I start this administration because of the trust and confidence which you have placed in me. You may rest assured that I will use my best efforts for the advancement of the interests of your association, and that your trust and confidence will be guarded with a jealous hand.

Lawyers in the Public Service

ALBERT J. GOULD, Denver has been appointed faculty athletic representative of the University of Denver Associates, an organization of civic leaders interested in the welfare of the institution.

EDWARD MILLER has been elected president of the Denver Tuberculosis Society. MARK H. HARRINGTON, former president, is a member of the executive committee.

JOHN C. VIVIAN, Denver, has been elected national executive committeeman from Colorado of the American Legion to succeed Ben C. Hilliard, Jr., who resigned to devote his time to his candidacy as national commander of the American Legion.

JUSTIN A. GARGAN, Idaho Springs, formerly of Denver, has been appointed deputy district attorney for Clear Creek and Gilpin Counties. He succeeds Erl H. Ellis who resigned last May.

KENNETH L. SMITH, Denver, has been elected secretary of the Colorado chapter of the American Cancer Society.

JOHN L. GRIFFITH, clerk of the Denver County Court has been reelected president of the Denver Council of Churches.

ADDISON M. GOODING, Steamboat Springs, has been appointed by Governor Knous as district judge of the 14th Judicial District to fill the vacancy created by the death of Judge Charles E. Herrick. The district consists of Routt, Grand and Moffat Counties.