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Summer 1970

UT Lawyer (Summer 1970)

University of Tennessee College of Law

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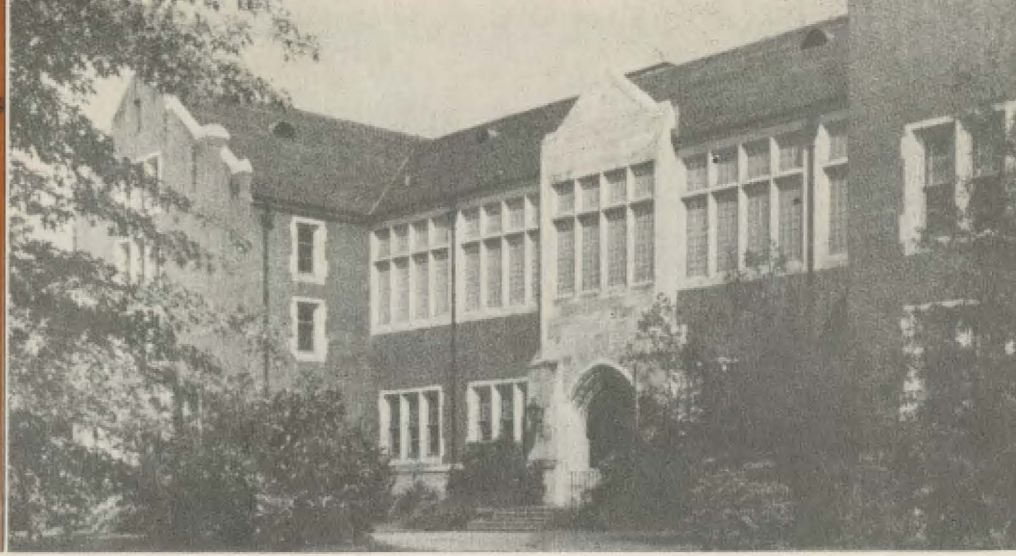


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The Crisis in Legal Education

The Southern Regional Educational Board warns that increased enrollments, inflation, and a drastic reduction in the amount of financial aid available to students are creating serious problems not only for private colleges and universities but for public institutions, as well. In the past, 20% to 30% of the student aid in the South came from foundation funds and from corporate grants. Inflation, however, is depleting these resources, virtually making it impossible for these donors to increase, or even meet, their traditional contributions. Moreover, a marked increase in operating costs on the university level is bringing about an increase in tuition and fees. By 1975 the number of students in higher education in the South will increase by 60%, and the cost of educating them by 120%. Thus, the law schools and the legal profession are facing a crisis of considerable magnitude.



Dean Warner

The financial plight of university students is currently being considered by the Congress in connection with the Administration's Bill for Higher Education. The Administration proposals would provide up to \$1,400 in a combination of grants, work-study programs, and subsidized loans for students from families earning less than \$10,000 a year. Students from families that have an income of more than this could receive only unsubsidized loans at prevailing interest rates. The latter group would, however, be eligible for guaranteed loans of up to \$2,500 a year. These would be made possible through a National Student Loan Association to which lending banks could sell their loan paper for funds to finance further loans.

Today, students entering The University of Tennessee College of Law must have completed four or more years of undergraduate study and have a first degree. In law school, they are faced with three additional years or, if they attend summer session, two calendar years and three months. Many parents cannot stand this further burden, especially if they have other children to educate. Moreover, a considerable number of our law students are married and endeavor to be self-supporting, principally through income derived from part-time employment and from working wives. Thus, a great many law students are hard-pressed and must

seek further financial aid through scholarships, grants, and loans. Further, many students are already heavily in debt for their pre-legal education. To add to this burden the financial stresses incident to attending law school are, for them and for the College of Law, and for the legal profession, a matter of deep concern. We feel that not only are we losing applicants of excellent capabilities because of our inadequate financial resources but also that many of our students are engaging in extensive part-time work to the detriment of their career.

The current financial aid picture at The University of Tennessee is not bright. Our assets are as follows: (1) Approximately thirty loan trust funds administered by the Board of Trustees; (2) Bank loans for students secured by the Tennessee Educational Loan Corporation; and (3) A limited number of scholarships.

At the present time there is a waiting list for all student loans. Moreover, students applying for bank loans frequently do not obtain a favorable response. Though loan funds fulfill a definite need, they do not eliminate the necessity for an adequate scholarship program.

Few scholarships at the Law College cover all expenses, especially those of a married student. The usual scholarship runs from \$225-\$300; this barely covers tuition and books. For the year 1969-70, the College of Law provided twenty-three scholarships; these totalled \$12,086.68. Forty-four per cent, or \$5300, of this amount came from the Green Endowment. Twelve per cent, or \$1380, was from University Alumni Funds. Nine per cent, or \$1,030, represented income from the Centurion Scholarship Fund. The remaining thirty-five per cent, or \$4,376.68, was derived from named scholarships.

In marked contrast to the \$12,086 spent this year for scholarships, we expended \$25,000 during the 1966-67 academic year. It is evident that a scholarship fund of \$12,086.68 is very meager for a school having an enrollment of more than 350 students. Ironically, as our enrollment mounts, our scholarship funds are decreasing, quantitatively as well as relatively. Because of this financial dilemma, we are in danger of losing many qualified young men who would be a credit to our profession.

The practice of law and legal education have been a good life for all of us — a life of rewarding experiences. If, in the future, a legal education must be reserved for the

(Continued on page 4)

U-T Law Alumni News Notes

E. H. Avery, '70, has accepted a position with Arthur Andersen & Co., Atlanta, Georgia.

Larry Banks, '69, is associated in the practice of law with Lyle Reid, '56, 12 E. Jefferson, Brownsville.

Hale Hamilton, '68, is associated in the practice of law with the firm of Spears, Moore, Rebman & Williams, Suite 350 Maclellan Building, Chattanooga.

David Dycus, '65, is associated in the practice of law with Howry, Simon, Baker & Murchison, Washington, D.C.

Edward A. Kizer is associated in the practice of law with Goff, Winchester, (Richard Lee, Jr., '49) & Walsh, Commerce Title Building, Memphis.

Joe Patton Lane, Jr., '67, is with the Tennessee Law Enforcement Planning Agency, Nashville.

Earl L. Leford, '70, is with the Tennessee Legislative Council Committee, Nashville.

Harold W. Mills, '69, is associated in the practice of law with Bell (Hoyt Gene, '62) & Webb, with offices in the Journal Building, Knoxville.

C. Ronald Patton, '70, is associated in the practice of law with the firm of Mathews, Maddox, Walton, Smith & Davidson, Rome, Georgia.

Charles Norman Rader, '69, is associated in the practice of law with Ambrose (William Leonard, Jr., '31), Wilson (William C., '33) & Lockridge (John D., Jr., '57), in Knoxville.

Jon Gilbert Roach, '69, is associated in the practice of law with Stone (Harold B., '51) & Bozeman (Charles Howard, '43), Hamilton Bank Building, Knoxville.

Samuel F. Robinson, Jr., '70, is associated in the practice of law with Hall, Haynes, Lusk & Foster, 615 Pioneer Building, Chattanooga.

Larry C. Sanders, '69, is associated in the practice of law with Richard Stair, Sr., '41, Robert W. Ritchie, '62, and Richard Stair, Jr., '65, with offices in the Hamilton Bank Building, Knoxville.

Thomas J. Seeley, Jr., '70, is in the Legal Department of the TVA, Knoxville.

Edward L. Summers, '69, is associated in the practice of law with Stone (Harold B., '51) & Bozeman (Charles Howard, '43), Hamilton Bank Building, Knoxville.

John A. Thomas, '54, is a member of the Trust Department of the Hamilton National Bank, Knoxville.

Dale Workman, '69, is associated in the practice of law with the firm of Poore, Cox, Baker (John W., '39), McAuley

(Ben F., '39), Ray (Robert Bruce, Jr., '40) & Byrne (Arthur Dillard, '42). Their offices are in the Valley Fidelity Bank Building, Knoxville.

Gary Napolitan, '69, is associated in the practice of law with the firm of Bishop, Thomas, Leitner, Mann & Milburn (Herbert Theodore, '59), 330 Pioneer Building, Chattanooga.

Thomas C. Watson, Jr., '69, is now a member of the Navy JAG Corps and has been promoted to the rank of Lt. Commander. He will leave Knoxville within the next week and report to the U.S. Naval Justice School in Newport, Rhode Island and upon completion of the school will be stationed at Norfolk, Virginia.

Fred Lewis, '68, has been commissioned Lt. J.G., U.S.N. and he will attend the U.S. Naval Justice School at Newport, Rhode Island.

Sheldon Ira Diesenhouse, '69, is an assistant in the District Attorney's Office, Brooklyn, New York.

Michael Aaron Rubin, '69, has accepted a position as Tax Attorney with Ernst & Ernst, New York City.

Charles H. White, '69, is associated in the practice of law with Lloyd and Bussart (Walter W., '66) The address is 23 Public Square, Lawrenceburg.

Patrick A. Ruth, '69, is associated in the practice of law with Smith, (Grant W., '65) and Cantrell (Ben H., '66), 711 J. C. Bradford Building, Nashville.

William C. Humphreys, '68, is associated in the practice of law with Alston, Miller and Gaines, with offices in the C & S Bank Building, Atlanta, Georgia.

James L. Jones, '62, has become a partner as of January 1, 1970 in the firm of Stone (Harold C., '51) and Bozeman (C. Howard, '43). The offices are located in the Hamilton National Bank Building, Knoxville.

The new firm of Stegall & Daniel (Scott, '64) has been formed with offices at 106 East College Street, Murfreesboro.

Lowry F. Kline, '65, has been made a partner in the firm of Miller, Martin, Hitching, Tipton, Lenihan & Waterhouse, 1033 Volunteer State Life Building, Chattanooga.

Howard F. Jarvis, '33, and associate Archie R. Carpenter, '65, have moved their offices to 824 Hamilton National Bank Building, Knoxville.

Joe J. Harrison, Jr., '67, and Joe Wild, Jr., have announced the formation of a partnership with offices at 405 Professional Building, Chattanooga. The firm name will be Wild & Harrison.

Lawrence P. Leibowitz, '69, has opened his law offices at 400 West Main Avenue, Knoxville.

It is with regret that we announce the death of Frank Creekmore, '33, of the Knoxville Bar on May 26, 1970.

THE U-T LAWYER

RALPH L. LOTKIN, *Editor-in-Chief*
JAMES W. ZIRKLE, *Managing Editor*

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SUMMER, 1970

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ORDER OF THE COIF

The Order of the Coif is a national law school honor society, election to which depends upon high scholastic attainments in law school. Only those who graduate in the top ten percent of their class and who have contributed substantially to the Tennessee Law Review are eligible.

The following individuals were elected to the Order for the 1969-70 academic year: Darrell B. Addington, Knoxville; Michael Boehm, Chattanooga; James Buckner, Huntsville, Alabama; William S. Davis, Clinton; George M. Derryberry, Signal Mountain; Gerald A. Hughes, Trenton, New Jersey; William C. Humphreys, Memphis; Robert Peters, Winchester; James A. Ridley, Gallatin; Richard Shapiro, Marlboro, Massachusetts, and William S. Slavens, Jackson, Ohio.

Law Day Awards

Activities for Law Day, 1970, featured the finals in the appellate argument program which was focused on the right of students to distribute allegedly inflammatory literature in an atmosphere of violence and student unrest. Supreme Court Justice George M. McCanless, Court of Appeals Judge James W. Parrot, and Court of Criminal Appeals Judge Charles Galbreath presided over the arguments. The team of Richard Kantor and Michael Rowland defeated Charles Bone and J. Houston Gordon. Richard Kantor was chosen first in individual performance.

Outstanding law students were honored for their individual accomplishments during the past academic year. James Michael May of Rome, Georgia, was named the Outstanding Graduate of the year.

Herbert Moncier, Roger B. Kesley and David Stanton Smith were awarded First, Second and Third Prizes respectively for the best will written upon a hypothetical set of facts.

National Moot Court Competition Awards went to Charles Bone, J. Houston Gordon, and Patrick Ruth. Trial Moot Court Awards went to John C. Aker, Jesse O. Farr and Bobby R. Tate for Spring Quarter; Sharon Bell and Patrick Ruth, Summer Quarter; Robert Thomason and Thomas Watson, Fall Quarter; and Larry Forrester, Frank Graham and David Smith, Winter Quarter.

American Jurisprudence honorees were: Leonard Bittner, CONTRACTS; Eric Christiansen, DAMAGES; Donald Cooper, SALES; Roger Dickson, AUTOMOBILES AND HIGHWAY TRAFFIC; Roger Dickson and Mike Noel, CRIMINAL LAW; James Gordon, BANKRUPTCY; Charles Hughes, DIVORCE AND SEPARATION; E. B. Jorgenson, MORTGAGES; Carleton Knechtel, AGENCY; Earl Ledford, CONSTITUTIONAL LAW, and INSURANCE; William Lovas, BILLS AND NOTES; Eston Orr, EVIDENCE; Linda Potts, FEDERAL PRACTICE AND PROCEDURE; Thomas Reed, EQUITY; A. H. Risner, ESTATES; Judy Turner, BAILMENTS; and Stephen Yeager, ADMINISTRATIVE LAW.

Tennessee Law Review certificates were awarded to: James May and Robert Peters, Editors-in-Chief; Edward Summers, Robert Townsend, and Thomas Watson, Articles Editors; Linda Potts, Board of Editors; William Nelms and Eston Orr, Case Notes Editors; and James Foutch and Earl Ledford, Comments Editors.

The U-T Lawyer award went to Michael Raulston for his excellent achievement as Editor-in-Chief of that publication.

Student Bar Association Certificates were awarded to the officers for the past year: Tom Easterly and Phil Lawrence, President; Frank Graham and Mike Noel, Vice President; John Hogin and Jim Price, Secretary; and William Griffith, Treasurer. George McCrary was the recipient of the Syllus E. Hodges Memorial Award for Legal Clinic.

The Corpus Juris Secundum award, honoring the students who made the most significant contribution to overall legal scholarship, went to E. B. Jorgenson, Freshman; M. D. Noel, Junior; and E. W. Orr, Senior. The winners of the Hornbook Series awards for the highest scholastic average in their respective classes were Leonard Bittner, Freshman; H. F. Humbracht, Junior and R. M. Townsend, Senior. The Delta Theta Phi Award in honor of Elvin E. Overton went to Leon Perry.

Mr. Paine Leaving Faculty

Donald F. Paine, Assistant Professor of Law, is leaving the faculty to enter private practice with the Knoxville firm of Egerton, McAfee, Armistead, Davis & McCord. In addition to a B.A. and an M.A. in English, Mr. Paine holds a J. D. degree from the University of Tennessee. After receiving his law degree, Mr. Paine served three years with the Army's Judge Advocate General Corps before joining the faculty of the College of Law.

Mr. Paine is probably best known to the practicing bar for his informative law review articles on various aspects of Tennessee procedure.

The students and faculty of the College of Law wish to extend to Mr. Paine their appreciation for his many past services and extend to him their best wishes for continued success in the future.

Outstanding Graduate

James Michael May of Rome, Georgia, was named the Outstanding Graduate of the College of Law for the preceding school year and was presented a set of Tennessee Code Annotated, compliments of Bobbs-Merrill Company, Inc., which annually makes the award. The presentation was made by Dean Harold C. Warner at the Law Day ceremonies.

Mr. May received his B.S. from the University of Tennessee in 1967. At the College of Law he served as Editor-in-Chief of the Tennessee Law Review and as Justice of Phi Alpha Delta Law Fraternity. He was also the recipient of the Winter, 1968, Appellate Argument Award. He received his J.D. degree in June, 1970, and is scheduled to enter the United States Army as a 2nd Lt. in August, 1970.

Bar Association Officers Elected

The S.B.A. is embarking on a new era of activity. Service to the entire university community will be emphasized as well as continued service to the law school and its students. The new officers of the S.B.A. are developing two new programs in order to provide community service and to motivate law student involvement. The programs being developed are Selective Service advisory counseling for university students and counseling for any student who is appearing before a university disciplinary board.

Another major aim of the new S.B.A. administration is the formulation of communication channels for the infusion of law student ideas into the administrative processes of the law school. The new officers of the S.B.A. for the coming Summer and Fall quarters are: James F. Logan, President; William Cloud, Vice-President; Jack Derryberry, Secretary; Robert Gindhart, Treasurer; and Frank Moore, Student Government Association Representative.

Delta Theta Phi

The fraternity has just finished its fourth year of providing effective legal service for students who appear before any university administrative tribunal on the Hill.

The fraternity was also active in presenting mock trials for the students of local high schools during the Spring quarter. The mock trial is a complete trial from jury selection through the return of the jury's verdict, with the Brothers participating as the judge, attorneys, and parties. The purpose of the program is to familiarize high school students with the procedures that take place in the courtroom during an actual trial.

Brother Stan Zusga has secured approval from the Legal Clinic for a student counseling program to be conducted at the Knox County Court House prior to the General Sessions Court trials. Judge James Brown, of the Knox County Bench, and an honorary Delt, originated the idea for this counseling service. The program will consist of talking to the defendants prior to their trial, advising them of the nature of the charge, and recommending whether these individuals should secure an attorney.

Brother Richard Kantor was chosen the Outstanding Individual in the recent Law Day arguments. He is also a newly chosen member of the National Moot Court Team for the coming year.

The newly elected officers for the coming quarters are: Howie Malatzsky, Brooklyn, N.Y., Dean; Bliss Hawkins, Mountain City, Vice Dean; Howell Sherrod, Johnson City, Secretary; E. G. Moody, Kingsport, Treasurer; Les Fein, Little Rock, Arkansas, Tribune; and Richard Kantor, Nashville, Master of the Ritual.

The PAD Portrait

Recently chapter members attended the Spring Picnic which was held at the home of Brother Mike Galligan. Members enjoyed friendly company and brief but energetic involvement in physical activities.

McReynolds Chapter was honored by those who were new initiates to PAD during Spring Quarter. The new brothers are: George H. Bradley, Robert Colvin, Reed Dixon, Dayid Engle, John P. Garner, Bob Harkins, Harold Jeffers, Edwin Kelley, Roy Kennon, Carl Knechtel, Frank Moore, Mark Potter, Jim Pyles, James Sherman, Ray Stegall, William Turner, Michael Vaughn, Doug Williams, and Barry Zepke.

The chapter has elected new officers to serve during Summer and Fall quarters. Those elected to office are: Charles Guinn, Justice; Jeffrey Henry, Vice Justice; Roland Verran, Clerk; Mark Potter, Treasurer; and Alec Garland, Marshall. Chosen as the Most Outstanding PAD was Tom Reed, the outgoing Chapter Justice.

PAD members and their new officers are anticipating successful and enjoyable Summer quarter activities.

Phi Delta Phi

Roosevelt Inn of Phi Delta Phi advanced socially as well as academically under the worthy leadership of Blanchard Tual. PDP salutes Blanchard for his efforts and feels sure that the new officers will follow in his steps and attain even greater success. The newly installed officers are: John McLellan, President; Eric Christiansen, Vice-President; John Peterson, Secretary; and Robert Littleton, Treasurer.

During the past quarter, the following men were initiated into Roosevelt Inn: Houston Gordon, Covington; Dulin Kelly, Gallatin; Ray Ledford, Cleveland; Robert Littleton, Lenior City; John Peterson, Little Rock, Arkansas; Rick Velde, Pekin, Illinois. Phi Delta Phi also had the pleasure of initiating as an honorary member, Mr. Blanchard S. Tual, an attorney from Memphis.

Roosevelt Inn considers itself most fortunate to have had the following men pledge Phi Delta Phi this past quarter: Michael Acree, Ridgely; Michael Allred, Livingston; Victor Ashe, Knoxville; Leonard Bittner, Delray Beach, Florida; Jerry Bradshaw, Shelbyville; Gary Cooper, Bristol; Robert Cupp, Kingsport; William Davis, Knoxville; Jack Derryberry, Nashville; Jackie Fisher, Oak Ridge; William Horton, Johnson City; Donald Irons, Lynchburg, Virginia; John Lambert, Knoxville, Michael Laws, Elizabethton; Gregg Luhowiak, Knoxville; Allan Maust, Hampton, Virginia; James McMahan, Mt. Vernon, New York; E. M. Miller, Hampton, Virginia; Grady Moore, Alexandria, Virginia; Joe Riley, Ridgely; and Jerome Smith, Knoxville.

Plans are being formulated to continue to provide round-table discussions on topics pertinent to law students as future lawyers. Social programs will also figure in plans for the coming year.

Dean's Message

(Continued from page 1)

wealthy, then the aspirations of many qualified young men in Tennessee will be unfulfilled and the spirit and the sinew that so many of us brought to the practice of law will be no more.

With this in mind, and with the help of many of our friends, we established the College of Law Centurion Fund a short time ago. Alumni and friends of the Law College are being urged to give \$100 each per year to this worthy cause for a five-year period. It is hoped thereby to establish an endowed fund through which scholarships and financial-aid grants could be financed.

Your contribution is desperately needed . . . now. Can we count on your being a Good Centurion?

Harold C. Warner, Dean
The College of Law

As part of its continuing service to our alumni, as well as to firms and corporations interested in placement, the College of Law has a full-time director of placement and interviewing facilities. Information concerning placement of graduates may be obtained from:

Miss Mary Stark, Placement Director, College of Law, The University of Tennessee,
1505 W. Cumberland Avenue, Knoxville, Tennessee 37916 — or call —

Area Code 615 974-3088