

# American College of Trial Lawyers

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1985

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## Attorney General Outlines Future Goals and Challenges

The time is ripe for new, creative approaches to the challenges in our government, in our legal system, asserts Attorney General EDWIN MEESE, III.

The President has set forth for the next four years three basic objectives: Sustained economic growth; a world at peace and a secure nation; and, the improved quality of life for all of our people. Let me go into some detail about each of these topics.

First, sustained economic growth: Recognizing that the future of our country has always been based upon increasing prosperity and jobs so that there is a livelihood for all of our people and the opportunity for all of our people to improve their own economic situation, the President has embarked upon a five-point program somewhat reminiscent of those items that were accomplished in the first term but on a continuing basis.

First of all, to reduce federal spending and as a part of this, reducing the federal deficit. Secondly, to have a tax system which accommodates and supports economic expansion, in this regard a tax system that encourages investment and savings and provides capital formation. That would preserve the indexing that was accomplished in 1981, so that people who, when there is inflation, are driven into higher brackets, are not penalized by increased taxes simply because they are maintaining their similar level of spending. Another element of sustained economic growth is the reduction of the regulatory burden which the Federal Government imposes upon individuals, businesses and labor unions.

The second major objective has to do with a world at peace and a secure nation. Basically, we have a program of national security based upon five essential principles: First of all economic strength gives us a position of leadership from which we can deal more effectively with other nations. A second major principle has to do with enhancement of relationships with our allies and friends, the continuation of the NATO Alliance, which has been the longest alliance and has preserved the longest era of peace in Europe that continent has known. Thirdly, we want to develop constructive relationships with third world nations. Relationships not built merely upon Uncle Sam giving out money to these nations but, rather, providing investment, providing technical assistance, giving these nations a chance to help themselves in their own economic development so that they can enter more abundantly into the world family of nations and into the world of trade so that they themselves will become self-

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# American College of Trial Lawyers

## BULLETIN

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1895—1982

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sufficient ultimately.

A fourth plank - and this is particularly important now as our negotiations go on in Geneva - is the relationship with the Soviet Union that is based upon realism, reciprocity and restraint. Realism in the sense that we are not unwilling to say publicly that we understand both the goals and the methods of the Soviet Union, but at the same time that we are willing to work with them despite their avowed goals, to work with them in a spirit of cooperation - that's the reciprocity - if they are willing to likewise restrain their aggressive impulses, behave according to standards of international conduct, and develop with us treaties that are equitable and verifiable to ensure a more stable world, relieve tensions and hopefully act in the direction of a reduction in nuclear weapons.

I think it is important to note in this regard that the United States Delegation to these arms reduction negotiations taking place in Geneva is headed by a very able lawyer, a very able trial lawyer, Max Kampelman, who certainly espouses some of the highest qualities of our profession and a man who has great experience in negotiation and I think will do an excellent job in representing our country in these very critical meetings.

Finally, a world at peace and a secure nation depends upon a strong military capability, a capability that provides a credible deterrent against aggression and the ability to protect our citizens anywhere in the world at any time.

The third area comes closer to home and that is improving the quality of life for all of our citizens. There are many ways in which we will be working on this. First of all, it has to do with space exploration, because we think the new frontier in terms of technology is greatly interconnected with the space program. Not only are we discovering new things through the space exploration program, but as this program becomes a more regular part of our life, there will be opportunities for medical technology improvements, a number of industrial uses, and a great deal of by-products of the space program which will become, as they have in the past, a part of our everyday life, improving the quality of life.

We are interested in improving the environmental quality of our nation. During this year, some critical elements of our environmental program, the Clean Water Act, the Clean Air Act, and other similar legislation will come up for renewal and reauthorization by Congress. At this time it will be very important to balance the environmental and economic factors so that we do in fact improve the quality of life from all aspects and so that we have realistic legislation that is capable of protecting the air we breathe, protecting the water we drink, protecting us against environmental hazards of various sources and at the same time doing that in a way that is cost effective and which is not counterproductive.

One of the areas in which we can improve the quality of life not only now but for the future is the program that the President inaugurated some years ago with the Blue Ribbon Commission on Excellence in Education, because the future in terms of jobs, in terms of competitiveness, in terms of our ability to expand our trade and compete with the other industrialized nations of the world depends upon an educated workforce. This is a particularly good example of the way in which the Federal Government and a President can provide leadership by bringing the problem and some of the solutions to the attention of the public and then, rather than creating a new federal bureau or rather than getting new federal taxes, can leave it to the level of government where the actual work is being done. Of course, in the case of education we are talking about the local school board level and state departments of education.

There is no question that around the country local governments and local school boards have picked up this challenge and we have a variety of innova-

tive and creative actions being taken throughout the country to improve the quality of education and thus improve the ability of our young people as far as their futures are concerned.

Finally, in improving our quality of life, a very important component has to do with the protection of our citizens against crime and the just administration of the laws of our country. I would like to discuss briefly several issues in this regard. First is the problem of drug trafficking and organized crime.

The Task Force on Violent Crime which Judge Bell chaired found as they went around the country that one of the major causes of violent crime, the kind of crime that threatens most citizens - burglaries, robberies, assaults, even homicides - was due to or involved with drug trafficking and the drug problem.

We amended the Posse Comitatus Act so that military services could be used for the first time to assist in the war against the drug traffickers. As a result, we brought together a coordinated activity between the judiciary, the U.S. Attorney, the various law enforcement agencies of the Federal Government, and we brought the FBI into drug enforcement for the first time in its history. We obtained the support services of the various military forces, the Air Force, for example, with its radar and its patrol planes, the Navy with its ships, utilizing Coast Guard crews for the enforcement aspect, and the Customs Department, and as a result we were able to mobilize a wholesale onslaught against the drug trafficking in South Florida.

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### **“...WE NOW HAVE REGIONAL ORGANIZED CRIME AND DRUG ENFORCEMENT TASK FORCES IN EVERY PART OF THE UNITED STATES.”**

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This proved successful not only in terms of reducing the importation of drugs into that area but also cut down on the drug-related homicides which had been growing at an alarming rate. As a result of this, we expanded the task force concept and now have regional organized crime and drug enforcement task forces in every part of the United States.

We also stepped up the interdiction efforts, utilizing the Customs and the Coast Guard together with the Drug Enforcement Administration and other agencies of the Federal Government to try to interdict the importation of drugs and to go beyond that in terms of drug enforcement activity and deal with the countries of origin, the Golden Triangle in Asia, the countries of South and Central America from which drugs were coming, the countries of Europe, Italy and France, which had been a distribution point for the drug traffickers. I am pleased to say that we are starting to

make progress, but we still have a long way to go.

I think it is important to note that we also have to work on the other end, on the demand side. In this regard, we are working very hard through the Department of Health and Human Services, through a number of volunteer groups all over the country in a program in which Mrs. Reagan personally has been very highly identified, and that is the prevention and education in regard to drug use.

For the first time, after a few years now of this effort, we are starting to see a slight decline in drug use by young people between the ages of 15 and 25, which I think is a very hopeful sign. But working from both ends, from the supply end to restrict the supply of drugs coming into this country and being distributed within our boundaries, and working on educating people, particularly young people, in the dangers of using drugs. We think there is an opportunity to improve this situation considerably, not only for its own sake, to make a society of young people less dependent upon illegal drugs, but also to have a major effect on the decrease in crime which will result from less drug trafficking in this country.

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### **“DESPITE THE CREATION OF NEW JUDGESHIIPS...THE FEDERAL JUDICIARY IS NOW BURDENED BY MORE CASES THAN IT CAN HANDLE...”**

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A second topic I would like to talk about is the federal court system, the balance between the legal system at the federal level and the legal systems of the various states. Earlier this year we had a conference at Williamsburg that brought together the Chief Justice of the United States and representatives of the Supreme Court and the Administrative Office of the Courts, judges from the Circuit Courts of Appeal and the District Courts in the federal system, as well as judges representing the state judiciaries of the country. Accompanying them were representatives of the Department of Justice as well as the Judiciary Committees of both the House and the Senate. The principal topic that was discussed there was the overburdened federal courts, the fact that, despite the creation of new judgeships continually over the last two decades, the federal judiciary was now burdened by more cases than it can handle at all levels of courts, and that the increased number of federal cases has resulted largely from new federal causes of action, new federal laws created by the increase in the number of cases, what one judge calls particularly the frivolous cases filed in the federal system which clog its ability to handle the very important cases that come before it.

As a result of this conference, we are working with the federal judiciary in the Department of Justice and we in-



tend to do several things. We are interested in providing, along with the Office of Management and Budget of the Federal Government, for new legislation that has implications for the federal justice system, a justice impact estimate, so that when a law is passed we can explain to the Congressmen and the Senators exactly what is involved, what it will mean in terms of the burden upon the federal judiciary, what it means in terms of U.S. Attorneys, what it means in terms of federal probation and parole officers, what it means perhaps for criminal law in terms of new correctional facilities.

I have a particular concern that there seems to be a growing trend towards making almost everything criminal when new legislation is passed by the Congress. As a result we get away from concentrating the criminal justice facilities on those acts which are truly criminal in the traditional sense of the word.

We are proposing legislation concerning the federal intervention in state criminal proceedings, so that there will be an increased finality in state court judgments in criminal cases once they have been reviewed by the appellate system in the states so that the criminal defendants in prison don't get another cut in the federal system unless there is a substantial issue or a substantial breakdown in the way in which the case has been handled in the federal (sic) courts.

We will be supporting with the Chief Justice a Federal Judicial Study Act to provide a long-range look at federal jurisdiction and the operation of the federal courts.

In the last three years, we have seen a decrease in crime. I am convinced that one of the reasons is that more people, more convicted felons, particularly convicted of serious crime, have been sent to prison by the judges, particularly in our state courts as well as to some extent in the federal courts, and career criminals, those people who are repeat offenders, have been kept in prison for longer periods of time through longer sentences handed down by the judges.

But if we are going to maintain this practice of more serious criminals going to jail for longer periods of time, we have to expand the capacity of our prisons and provide more adequate humane facilities in which to incarcerate these people so that they will be incapacitated and not able to prey on their fellow citizens.

There are several things here that need to be done. For the first time some of our states are starting to pass bond issues for new prison facilities. In the Federal Government, the Department of Justice, we hope to work with state and local officials in a cooperative effort to make this as easy and as cost effective at the least cost to the taxpayers as possible. We also think that a great deal can be done in terms of sharing operational information about how prisons can be managed in a better way. One other thing we are doing is providing federal lands. With the Federal Government owning about a third of the land in the United States, we think there must be some areas on the edges of military posts or otherwise to construct prison facilities, and this land under new laws can be given at virtually no cost to the

state and local government so there will be a place to construct the new facilities.

Finally let me touch on another issue that I think is very important to us as a profession and that is providing legal services for the poor. In the last decade, too much of the responsibility for providing legal services for the poor has been shifted to the taxpayer through the Corporation of Legal Services and some other means from the state and too little has really been accepted as a responsibility by the profession itself.

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**"...TOO MUCH OF THE RESPONSIBILITY FOR PROVIDING LEGAL SERVICES FOR THE POOR HAS BEEN SHIFTED TO THE TAXPAYER..."**

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I think the time is ripe for new, creative approaches which would involve greater professional responsibility. I think our profession can work with the law schools whereby people in their middle years of professional practice can devote a few hours a month to supervising third-year law students working in a sense as clinical interns to provide legal services to the poor and as a result of this the lawyers will be providing service for the public, the students would be receiving some hands-on education from experienced lawyers, and the poor would be receiving more and better services than they are at the present time. Legal education would therefore be expanded because not only would the people of the law school be teaching, but professional lawyers would be providing the benefit of their skill and experience in the teaching not only of the skills of lawyering but also in the ethics, the integrity, and the customs and mores of the profession. I feel that it is one of the most important ways in which our profession can make a major impact in making sure that no persons are denied legal services because of their economic situation.

These have been a few thoughts of a new Attorney General on the future course of our government and the challenges ahead for our profession and for the legal system generally.

I pledge to you that my leadership of the Department of Justice will include working with you and the other organizations in our profession in fully living up to our professional responsibility and working very hard to provide better service to the people of our nation. ■

*(Edwin Meese, III, United States Attorney General, addressed the College at its 35th Annual Spring Meeting in Florida.)*

# Annual Report of the Immediate Past President



Gene  
Lafitte

The months passed quickly between the 1984 Annual Meeting of the College in Chicago and the recently concluded 1985 Meeting in London. It might be helpful to new President Griffin Bell for me to report briefly in writing, and in summary form, the activities of the College during this past year. To do so in this issue of the *Bulletin* also is a means of updating all Fellows on those activities.

The standing and special committees of the College have faithfully discharged their responsibilities, and have worked very well on their assignments. The following is a brief summary of some, but by no means all, of those activities.

## Canada-U.S. Committee

The Canada-U.S. Committee has continued to assist the Canadian Fellows in their particular problems in identifying prospects for our Fellowship, and has begun the planning for the exchange of legal teams of lawyers and judges between the United States and Canada, which likely will occur in 1986.

## Complex Litigation Committee

The Complex Litigation Committee studied and prepared comments on the draft of the revised *Manual for Complex Litigation 2d*, and following their adoption by the Executive Committee, these were forwarded on behalf of the College to the Board of Editors of the new *Manual*. Incidentally, the College's 1981 published recommendations on the handling of complex litigation largely are incorporated in the final draft of MCL 2d. This committee also studied a pro-

posal by the Litigation Section of the American Bar Association for the adoption by the ABA of a resolution supporting amendments to Rule 23 of the Federal Rules of Civil Procedure that would result in liberalized use of the class action. The committee prepared a report which was adopted by the College that was then provided to the House of Delegates of the ABA, among others, opposing the proposed resolution. The resolution was not adopted by the House at its Annual Meeting in Washington, D.C. in July.

## Federal Rules of Civil Procedure Committee

Our Committee on the Federal Rules of Civil Procedure developed recommendations for a written position of the College in reaction to proposed amendments to the Rules. Following adoption of that position by the Executive Committee, that written position was forwarded to the Committee on Rules of Practice and Procedure of the Judicial Conference of the United States.

## Federal Rules of Criminal Procedure

The College was requested by a special committee chaired by United States District Judge Thomas A. Flannery of Washington, D.C., which is charged with drafting simplified jury instructions in criminal cases, to review the committee draft of such instructions, and to comment on that draft. Our Committee on Federal Rules of Criminal Procedure is busily engaged in this project.

## Judiciary Committee

Our Committee on the Judiciary, through Chairman Charles Renfrew, testified for the College before the Fifth Quadrennial Salary Commission in support of increased compensation for the federal judiciary, and we continue to work with other groups in the movement to achieve salary increases for federal judges.

## Samuel E. Gates Litigation Award Committee

The Sam Gates Award Committee made a splendid selection in recommending Professor John Reed of the

University of Michigan Law School as the recipient of the Award at our 1985 Spring Meeting.

## Emil Gumpert Award Committee

Our Emil Gumpert Award Committee has continued to work very hard in identifying worthy law schools to receive the Award. Its recommendations were adopted by the Regents at their London meeting in July.

## National Trial and National Moot Court Competition Committees

Both the National Moot Court and the National Trial Competitions were highly successful again this year. I was privileged to judge the finals of the National Moot Court Competition in New York City with distinguished judges and lawyers, and the winning team from the University of California at Davis was present at the Spring Meeting to receive recognition. The College once again hosted the finalists in the National Trial Competition, held this year in Dallas, Texas, and I was again privileged to present Lewis Powell medallions to all team members participating in those finals, representing the winners and runners-up from the regional competitions held across the country. All Fellows of the College can take pride in the College's support of these two splendid advocacy training competitions and in the efforts of our two fine standing committees through which we provide that support. Nothing we do is more important.

## 1985 Spring Meeting

The Board of Regents met for a week in Boca Raton immediately prior to the Spring Meeting in Orlando. Among its important work was the consideration of 273 new nominees for Fellowship in the College, 214 of which were approved. Incidentally, 151 of these were inducted at our Annual Meeting in London in July, and while statistics are not available, we believe this is probably the largest group of inductees ever received into the Fellowship at one time. The Spring Meeting in Orlando was outstanding, and we are indebted to Griffin Bell for the planning of an excellent professional program, which featured such



distinguished speakers as Attorney General Edwin Meese, General Paul F. Gorman and Judge Jack Weinstein of the Eastern District of New York. Also speaking at the program were Fellows John T. Marshall; John B. Shepherd, American Bar President; Claude R. Thomson, Canadian Bar President, as well as Professors Clifford J. Calhoun and Alfred T. McDonnell from the University of Colorado School of Law, Boulder, Colorado. Approximately 1050 Fellows, spouses and guests were in attendance at Orlando, making it one of our larger meetings.

#### 1985 Annual Meeting

In the planning of the Paris seminar and the Annual Meeting in London, we could not help but be concerned that our expectations would not be fulfilled. Thanks to our Planning Committee, chaired by Robert L. Clare, Jr., of New York City, and to the extraordinary efforts of Bob Young and his staff, both events were outstand-

ing successes. 770 Fellows, spouses and guests were in Paris to enjoy wonderful social activities there and a professional seminar presented by gifted speakers. The attendance at the Annual Banquet in London swelled to 1030 Fellows, spouses and guests, who applauded The Rt. Hon. Sir Tasler Watkins, V.C. as he was awarded the Plaque of Honorary Fellowship. Distinguished American guests included Chief Justice Burger, Justice Brennan and Judges Kaufman and Mansfield of the Second Circuit. No one can remember when so many of the luminaries of the British legal world were in attendance on one occasion. Virtually all of our living Honorary Fellows in England were present, including the Right Honorable Lord Hailsham, the Lord High Chancellor of England and Wales, and Lord Diplock. It was a wonderful and rare opportunity to strengthen our bonds with these distinguished British Honorary Fellows.

Jackie and I saw many of you at state and regional meetings held across the country during this year, and I cannot possibly express our gratitude for the warmth of your hospitality and friendship. I am convinced that these meetings do not detract from our Spring and Annual Meetings, but only make them more enjoyable. They serve to widen the circle of friends that we are all able to greet at meetings of the Fellowship as a whole.

I am deeply grateful to all of you, and to the Officers, Board of Regents and Past Presidents of the College for the support which I unfailingly received. And finally, I publicly congratulate Bob Young, as he completes his first year as Executive Director of the College, for his extraordinary efforts. He and I are both indebted to his efficient and cooperative staff, Fran Menudier, John Berwick, Joy Marshall and Rolly Gordon. ■

*Joe LaBelle*

## Calendar of Events

### Special Meetings

- **Oct. 24-26:** State/Province Chairman's Workshop (western region); Laguna Niguel, California
- **Oct 31:** Downstate New York Dinner; New York, New York
- **Nov. 7-9:** State/Province Chairman's Workshop (eastern region); Sea Island, Georgia
- **Nov. 14:** Wyoming, Colorado Dinner; Denver, Colorado
- **Nov. 15:** Oklahoma Fellows' Breakfast; Oklahoma City, Oklahoma
- **Nov. 16:** Delaware Annual Dinner; Wilmington, Delaware
- **Dec. 6:** Mississippi Black Tie Dinner; Jackson, Mississippi
- **Dec. 7:** Louisiana Annual Dinner; New Orleans, Louisiana
- **Apr. 6-9:** 1986 Annual Spring Meeting; Coronado, California
- **Apr. 12:** North Carolina Dinner; Litchfield Beach
- **May 2-4:** Oklahoma Meeting; Shangri-La, Oklahoma
- **Aug. 8:** Annual Meeting; New York, New York
- **Aug. 9:** Annual Banquet; New York, New York

### Spring & Annual Meetings

#### 1986

- **April 6-9:** Spring Meeting -Hotel del Coronado, Coronado, California
- **August 9:** Annual Banquet - New York, New York

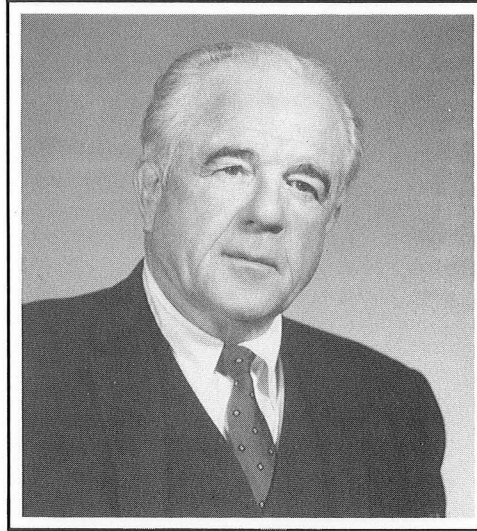
#### 1987

- **March 8-11:** Spring Meeting-Boca Raton, Florida
- **August 8:** Annual Meeting - San Francisco, California

#### 1988

- **March 6-9:** Spring Meeting - Marriott's Desert Springs Resort & Spa, Palm Springs, California
- **August 6:** Annual Meeting - Toronto, Ontario

**In Memoriam  
BARNABAS F. SEARS**



**(1902 - 1985)**

In 1980 Barnabas F. Sears sent some of his friends a plaque which read:

“Life ain’t a matter of holding good  
cards, but playing a poor hand well.”

This was the year Barney suffered a stroke. It left him crippled and confined to a wheelchair until he died on New Year’s Day 1985. He had throughout his life held good cards, but when adversity struck he played a poor hand well. Those who saw him in his last years, know that he suffered. He was always immaculately dressed and interested in all of the affairs of the American College of Trial Lawyers.

The College, of which he became a Fellow in 1953, a Regent from 1961-1965, and President in 1970-1971, granted him its Award of Courageous Advocacy. The bravery Barney showed in his final illness had characterized his professional life and justified the citation:

“... that no fear of public disfavor should  
ever restrain a lawyer from the full  
discharge of his duty in the  
representation of his client and his  
client’s cause, however unpopular it may be.”

In the widely known and bitterly fought Black Panther case in which Barney was Special Prosecutor by appointment of the Governor of Illinois, he, in the face of hostile judges and real threats to his life, and those of his family, exemplified the cited standard and maintained the independence of the Grand Jury and the integrity of the Criminal Justice System.

Throughout his life, he had shown the same dedication to high principles and had unselfishly given of his great talent to sustain what he knew was right.

In the early 1960’s he also served as Special Prosecutor of the Chicago Summerdale Police and obtained the conviction of eight policemen for burglary. He brought about massive reforms in the Chicago Police Department.

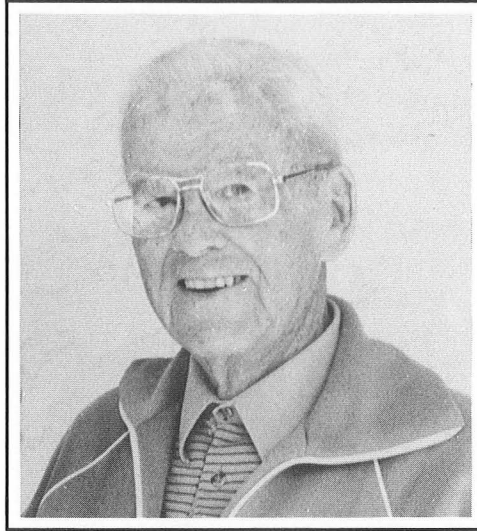
The same willingness to sacrifice himself for the benefit of the profession and the people made him an active leader as President of the Illinois State Bar Association for Court Reform. Following this he served the American Bar Association as a Member of its Standing Committee on the Federal Judiciary, and as a Member and Chairman of the House of Delegates. He still had time to serve the American Law Institute, the International Academy of Trial Lawyers, the Society of Trial Lawyers of Illinois and the Law Club of Chicago.

Others have recognized that Barney was a “special person”. The Junior Association of Commerce and Industry named him, in 1971, the “Chicagoan of the Year” and the Midland Authors gave him its Distinguished Service Award for his support of the cause of Justice and Freedom of the Press. His Alma Mater, Georgetown, conferred on him an Honorary Doctor of Law and also dedicated the Barnabas Sears Clinical Law Library Research Center in recognition of his accomplishments. John Marshall Law School and the William Mitchell College of Law also granted him honorary degrees. In the book, “On Trial, Masters of the Court Room” Barney is referred to as “the complete trial lawyer”.

He was a proud man - he was proud of his wife Alice, a courageous advocate in her own right; he was proud of his ability as a trial lawyer and his membership in the College; and he was proud of his gin rummy skills. We are all proud to have known him. He has been an inspiration to us all and a credit to the profession which he loved. He not only was “the complete trial lawyer”, he was the perfect friend and companion.

We of the American College of Trial Lawyers will miss him and he will forever have our respect and love.

**In Memoriam**  
**JESSE E. NICHOLS**



(1899 - 1985)

Jesse Nichols, one of the first Regents and the seventh President of the American College of Trial Lawyers, died in his sleep at his home in Oakland, California on January 10, 1985 at the age of 85.

Jesse was born in San Francisco, California in 1899, one of thirteen children. The following year the family moved north to Mendocino, California where Jesse attended grade school and high school. During high school and later during college summer vacations he worked in the lumber mills of Mendocino. He was graduated from the University of California at Berkeley in 1922 and from its law school (Boalt Hall) in 1925. He served a brief apprenticeship as a trial lawyer with the Oakland office of the San Francisco firm of Ford, Johnson and Bourquin before opening his own office in 1927. He was the first tenant of the Central Building in Oakland where he maintained an office for nearly 60 years until his death.

For many years Jesse was regarded as the preeminent personal injury trial lawyer in Northern California. He tried cases in 45 of the 58 counties of California and in all of the Federal District Courts in the state. He was instrumental in establishing the liability of Cutter Laboratories in the landmark polio vaccine cases in the late 1950's before the days of strict liability. Earlier in the 1940's he obtained the first \$100,000 plaintiff's personal injury verdict.

Jesse was the senior partner in various law firms beginning with Nichols and Richard in 1927 and ending with Nichols, Williams, Morgan & Digardi from 1954 until his retirement in 1975. Four of his partners have been members of the College and, although Jesse was regarded as a nonjoiner, he took great pride in his membership in the ACTL.

Jesse had great presence, a warm and delightful sense of humor and a spirit for survival finely honed by growing up in a large family in a Northern California country town. He is survived by his second wife, Lilian, two daughters and a son from his first marriage in 1923 to Breite Von Breitenstein, and four grandchildren.

Jesse was an ex-officio member of the Board of Regents for nearly 30 years. Already, we miss him.



# College News

## AWARD FOR COURAGEOUS ADVOCACY

The coveted Award for Courageous Advocacy was presented to William R. Gray of Boulder, Colorado at the 35th Annual Spring Meeting of the College in Florida. Mr. Gray is only the fifth recipient of the Award which was created in 1964.

Fellow George Edward Allen, distinguished trial lawyer from Virginia; Past Presidents Barnabas F. Sears, "Chicago Black Panther case" prosecutor; Leon Jaworski, heralded for his handling of the Watergate case; and Robert W. Meserve, who litigated against a Chief Justice of the Massachusetts Superior Court, were previously recognized for their tireless and courageous efforts in the face of extreme opposition.

Making the presentation was Robert W. Meserve, the Award's only surviving recipient, who read from the citation, "... the unswerving course you have set upon and maintained in both your personal and professional life, the constant devotion you have shown to the highest principles of our profession, and the extraordinary skills and outstanding courage with which you defended the most unpopular of defendants under the most difficult and trying circumstances in the case of *The People of the State of Colorado v. Daniel Arevalo*, have earned you this lofty recognition."

## SAMUEL E. GATES LITIGATION AWARD

Professor John W. Reed, University of Michigan Law School, was presented the Samuel E. Gates Litigation Award during the recent 1985 Spring Meeting. For his teaching of trial practice, including years as moderator of the Annual Advocacy Institutes at the University of Michigan, Professor Reed was presented the Award on behalf of the Fellows by Andrew C. Hartzell,

Jr., Chairman of the Samuel E. Gates Litigation Award Committee and partner of the late Samuel E. Gates, who died while filling the office of President-Elect of the College.

The Award was established in 1980 to "honor a lawyer who has made a significant contribution to the improvement of the litigation process in the United States".

## ELECTIONS

At the Annual Meeting in London the Officers for 1985-1986 were elected and installed; Griffin B. Bell, President; R. Harvey Chappell, Jr., President-Elect; Robert V.P. Waterman, Secretary; and Ralph I. Lancaster, Jr., Treasurer.

Your new Officers' tenures run from the period of July 12, 1985 to August 8, 1986.

Three new Regents were elected for four year terms. They are Fulton Haight of Santa Monica, California; Patrick T. Ryan of Philadelphia, Pennsylvania; and Robert G. Stachler of Cincinnati, Ohio. Terrell L. Glenn, Columbia, South Carolina, was elected to serve a one year term as Regent.

## 1986 ROSTER

The 1986 Roster of the College is scheduled for a November release date. This year's Roster will contain two new sections: the Board of Regents Regions of Jurisdiction and the list of State and Province Committee Chairmen for 1986.

## POLLS FOR NEW NOMINEES

Polls will be mailed during November. Fellows from those states and provinces that have proposed new nominees for Fellowship should promptly complete and return their confidential polls in order to expedite the consideration of each nominee. Your poll comments are especially valuable to the

election process for College nominees.

## 1985 EMIL GUMPERT AWARDS

St. Louis University College of Law was the recipient of the 1985 Emil Gumpert Award for its excellence in teaching trial advocacy. The Trial Advocacy program at St. Louis University is under the supervision of Dean Rudolph C. Hasl.

A special 10th Anniversary Emil Gumpert Award was granted to Emory University School of Law, Atlanta Georgia, in recognition of its continued dedication and excellence in the teaching of trial advocacy. Dean David G. Epstein oversees the Trial Advocacy program at Emory University.

The Emil Gumpert Award is made in honor of the late Honorable Emil Gumpert, Chancellor-Founder of the American College of Trial Lawyers.

## HONORARY FELLOWSHIP CONFERRED IN LONDON

The Right Honorable Lord Justice Tasker Watkins, V.C. was inducted into Honorary Fellowship in the College on July 13, 1985. Chief Justice Warren E. Burger, Chief Justice of the United States, presented the plaque of Honorary Fellowship to Sir Tasker Watkins at the 35th Annual Banquet held at the Grosvenor House in London.

Sir Tasker Watkins is one of the distinguished jurists of England and Wales and currently Lord Justice of Appeal and Senior Presiding Judge for England and Wales. He was called to the Bar at Middle Temple in 1948 and became a Bencher in 1970. He is also a recipient of the Victoria Cross for his historic and heroic service in World War II.

Reading from the plaque, Chief Justice Burger awarded Sir Tasker his Honorary Fellowship "in recognition of his accomplishments and eminence in the field of law."

# President's Report



Griffin  
Bell

On July 13, 1985 in London, England it was my honor to be installed as the 35th President of the American College of Trial Lawyers.

In this Fall issue of the Bulletin I have asked your Past President Gene Lafitte to give a report on College activities during his distinguished tenure this past year.

In my first report to you we will look ahead. This Fall we continue to sponsor State and Province Chairmen Workshops which assist them in carrying out the important work of the College. We encourage you to get to know your State or Province Chairman as well as your State or Province Committee. The 1986 Roster which you will receive later this year will contain a list of those Chairmen for the first time.

Throughout the United States and Canada, the calendar continues to fill with meetings at the state and province level as well as major Regional

Meetings. The calendar of these meetings as well as your Spring and Annual Meetings is included in this Bulletin. Your continued participation at these meetings will enhance the Fellowship at larger meetings of the entire College.

I urge you to mark your calendars now for the 1986 Spring Meeting on April 6-9 at the Hotel del Coronado in San Diego, California. Your President-Elect, R. Harvey Chappell, Jr., is already working on an exciting professional program. Registration information and hotel reservation forms will be sent to all members of the College in the Fall.

The Annual Meeting will be on Friday, August 8, 1986 in New York City with the Annual Banquet scheduled for Saturday, August 9, 1986.

There is much important work to be done in the year ahead. We now have set up procedures whereby our professional programs will be submitted for CLE credit in mandatory CLE states. Our National Office staff can provide you with requirements to meet the criteria in your state so that your programs will qualify for credits.

We will be reviewing all committees of the College this Fall with the objective of activating some and eliminating those that have accomplished their charges. If you have any sugges-

tions regarding the College committees or would like to serve on one please let me hear from you.

One of the most important and ongoing projects of the College is the nomination process for new Fellows. The final date for receipt of nominations from the State and Province Committees is November 1, 1985.

The continued involvement of each Fellow in this process is essential. Your recommendations for nominees as well as your prompt attention and return of the Polls enables us to maintain the high standards of the College.

The College will continue to monitor and report on the states' implementation of the Model Rules of Professional Responsibility. Our Legal Ethics Committee will again oversee the College's ongoing efforts to make the College position known and supported.

As we continue our efforts this year, I look forward to the opportunity of meeting and visiting many of you at College functions.

Griffin Bell