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Summer 1968

Law Alumni Review

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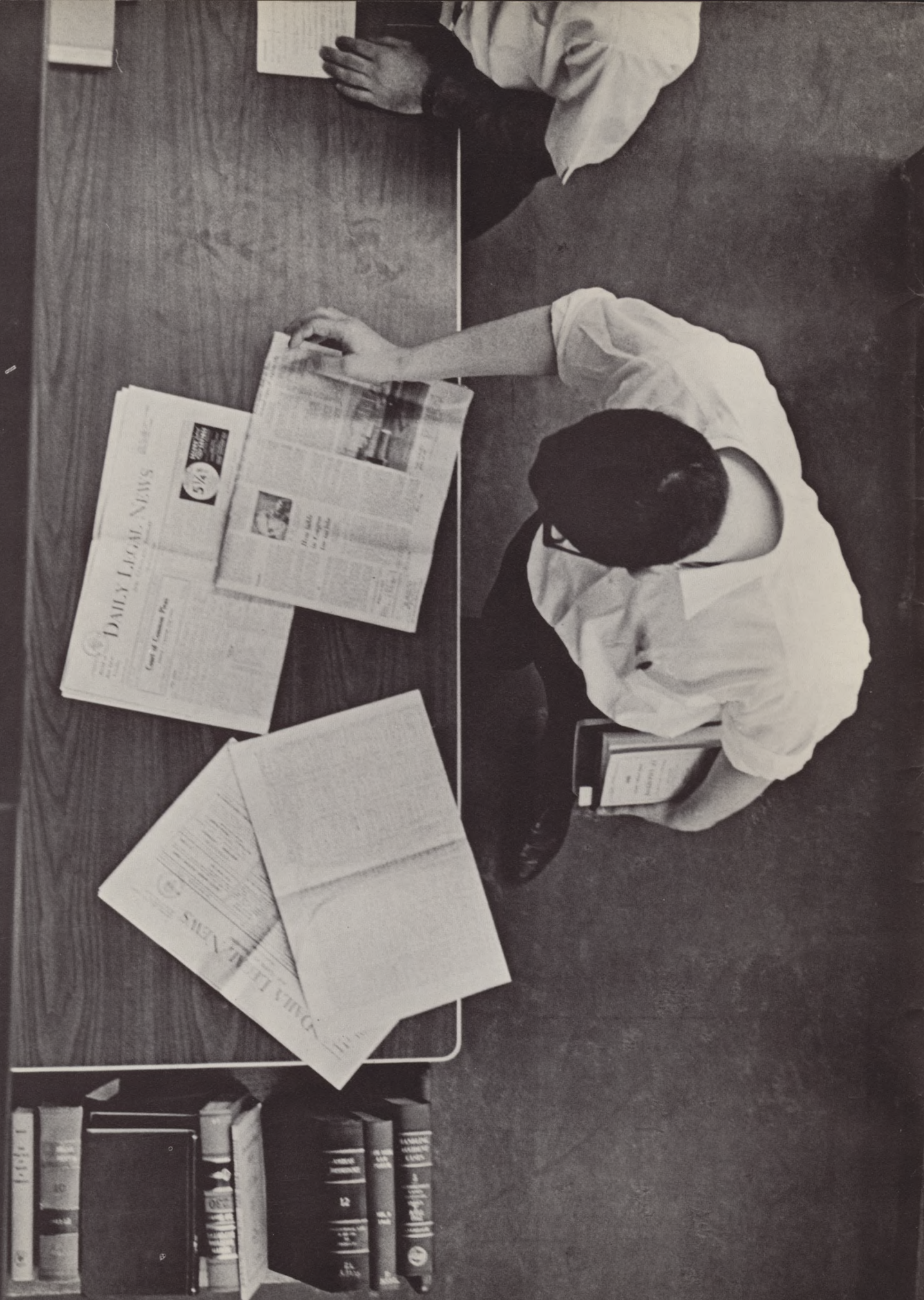
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Law Alumni Review

CASE WESTERN RESERVE UNIVERSITY



Summer



Summer, 1968

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This issue of the **Law Alumni Review** introduces an entirely new format in which we shall present more news of interest to our alumni and other friends.

The change in size and shape, resulting from an evolution in typography and graphic design, gives us the opportunity to present additional information, feature articles and photography.

Alumni notes will be continued and expanded while individual, special attention will be paid to alumni involvement in local, state and national activities. Alumni will be kept more fully informed of developments at the Law School. Professor Reitze's discussion of Water Pollution in this issue marks the beginning of a new series of substantive law articles by legal scholars and practicing attorneys.

We invite your comments about the **Review's** contents and ask for suggestions for articles and feature material.

All comments will help us in fulfilling our objective—informing and interesting **you**.

"Men are men before they are lawyers or physicians or manufacturers and if you make them capable and sensible men they will make themselves capable and sensible lawyers and physicians"

JOHN STUART MILLS

Water Pollution and Ohio's Criteria of Stream Water Quality

After three centuries of abusing our water resources, Americans are beginning to realize that the demands for water created by our increased population as well as modern industrial needs necessitate a careful husbanding of these resources. This has become a matter of special concern to those of us living in the Great Lakes Basin. With 16% of the world's supply of fresh surface water at our doorstep, a cavalier attitude developed which assumed continued abundance. Now, particularly regarding Lake Erie, that abundant supply of fresh water is threatened by a qualitative deterioration that could end all uses of this body of water.

Recreational uses have already been seriously curtailed. Today, Cedar Point is the only beach in Ohio considered totally safe for swimming by the Federal Water Pollution Control Administration. Even that beach has an aesthetic problem caused by algae washed ashore. Fishing in Lake Erie has also been seriously affected, particularly, commercial fishing. Aquatic life has materially decreased in quality and to a lesser extent in quantity as the ecological environment of the Lake has changed. White fish and pike are virtually extinct in these waters, replaced by carp and other scavengers.

The use of Lake Erie as a public water supply will be the next use to be curtailed or eliminated. If this seems to be an alarmist's cry, remember New York City's problem several summers back in 1965. Water was rationed. Even restaurants would supply drinking water only at specific request. Yet, Manhattan is an island. At the time water was severely rationed, each day, millions of gallons flowed by the city and into the sea.

The pollution of Lake Erie must stop if the welfare of the basin's inhabitants is to be preserved. This can only be done by controlling the pollution load carried into the Lake via its tributaries. Some pollution in the Lake is caused by sources from within the lake such as that from freight traffic and pleasure craft. This pollution, however, is minor. The Detroit River enters the Lake heavily polluted with industrial and municipal wastes. The phosphates in these wastes, primarily from detergents and human wastes, act as nutrients and are the cause of the algae growth in the Lake. The Maumee River near Toledo adds its pollution to the Lake which includes two million tons of silt each year.

The Cuyahoga River, the Rocky River, the Chagrin River and the Grand River also contribute heavily to the pollution of Lake Erie. The Cuyahoga carries every kind of filth imaginable and is one of the most polluted rivers in the United States. It has a coliform bacteria count more than 1,000 times in excess of that allowed for swimming. It is literally true that a person who places any part of his body in the lower Cuyahoga runs a serious risk of harm.

One of the important governmental approaches to pollution abatement has been the use of water quality requirements imposed by the State governments. These requirements are placed on the streams and rivers; polluters must, then modify their conduct so as to allow the water to reach the determined qualitative level. These standards are such an important part of the states' total pollution abatement program that they deserve scrutiny.

The 1965 Federal Water Quality Act (PL 89-234) directed the states to develop suitable water quality criteria to be applied to interstate waters. If they did not, the Federal government would prepare the regulations. 33 U.S.C. 466(g).

Ohio responded with regulations adopted by the Water Pollution Control Board of the Ohio Department of Health. These regulations are similar to those used by the Ohio River Valley Water Sanitation Commission, an interstate compact organization of which Ohio is a member. The latter organization has worked for some time at improving the water quality of the Ohio River basin and is chiefly responsible for the fact that the Ohio River's water is of a much higher quality than that in the rivers in Northern Ohio which drain into Lake Erie.

The Ohio regulations have four "minimum conditions applicable to all waters at all places and at all times." They require all Ohio rivers and streams to be:

1. Free from substance . . . that will settle to form putrescent or otherwise objectionable sludge deposits.
2. Free from floating debris, oil, scum and other floating materials
3. Free from materials . . . producing color, odor or other conditions in such degree as to create a nuisance.
4. Free from substances . . . which are toxic

There are then *seven stream quality criteria*. These are more detailed requirements of quality for various streams above and beyond the "minimum conditions applicable to all waters." The stream quality criteria are applied to specific segments of bodies of water. The choice of criteria is primarily based on present quality. These criteria are Industrial Water Supply, Aquatic Life A, Aquatic Life B, Public Water Supply, Recreation, Agricultural Use and Stock Watering, and Cold Water Fisheries.

This, of course, means that not all water is to be held to the same standard of purity. The Board must choose which criterion to apply to each body of water. The criteria with the lowest standards will allow substantial pollution. Each category is required to meet specific quality levels. The seven criteria contain requirements placing limitations on bacteria, threshold-odor, dissolved solids, radioactivity, chemical constituents, dissolved oxygen, pH, temperature, toxic substances.

In all, 9 tests are applied to Ohio's water, but no one criteria applies more than 5 of them. Thus, the *Public Water Supply* criterion has no limitation on pH or temperature and applies only the general limitations on toxic substances. The *Recreation* criteria has only a bacteria limitation. The *Agricultural Use and Stock Watering* criteria is the strangest of all, for it places no limitation on any of the nine items enumerated but merely repeats the general "minimum conditions applicable to all waters at all places and at all times."

The following conditions would meet Ohio's water quality criteria:

Public Water Supply—Water polluted with mine acid runoff.

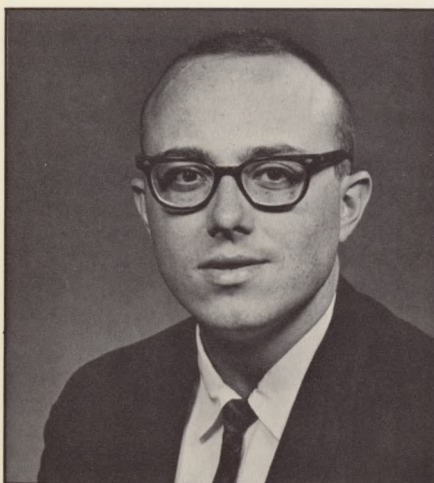
Aquatic Life A—Bacteria content so high that any body contact, even with the hands, would be dangerous.

Recreation—Water skiing in an effluent of hot pickling acid.

A separate discussion of *Industrial Water Quality* and *Aquatic Life B* criteria is in order. They are very similar. Dissolved Oxygen, pH, and temperature limitations are the same. The Industrial category places a limit on dissolved solids. *Aquatic Life B* does not. Rather, it has a limitation on toxic substances which hopefully would be covered by the four minimum conditions applicable to all seven criteria.

As a point of information, fish cannot live in Water of *Aquatic Life B* quality. Why is such a category chosen? The answer is that the establishment of this category gives an illusion of progress. For example, Ohio's Division of Engineering of the Department of Health in its recommendations to the Ohio Water Pollution Control Board May 1968, p. 5 recommends that the Cuyahoga River from State Highway No. 17 bridge to the U.S. Coast Guard Station, should meet *Industrial Water Supply* criteria by not later than January 1, 1971 and should meet *Aquatic Life B* by January 1, 1975. It sounds like the state is demand-

(Continued next page)



Associate Professor Arnold W. Reitze, Jr. received his LL.B. degree from Rutgers Law School. He came to Reserve in 1965 after serving as a Teaching Associate at Indiana and Michigan Law Schools.

Professor Reitze has taught a variety of subjects since arriving at Reserve but his major specialties are Taxation and Natural Resources Management Law. He is a member of the Board of Directors of Citizens for Clean Air and Water and recently testified before the Federal Water Pollution Conference on Lake Erie and the Ohio State Water Pollution Control Board. He is also a director of the Izaak Walton League, a national conservation organization.

1908 Grads Celebrate 60th Year in Practice Together

ing progress. In reality, no actual improvement need be made in that four year period. In 1975, assuming all requirements are met, fish will still not be able to live in the Lower Cuyahoga River.

Even poor standards if applied rigorously with upgrading of standards as rapidly as technology and the time necessary for installation allows would provide marked improvement in the quality of our waters. Unfortunately, the attitude toward water quality demonstrated by the regulations on quality carries over to all aspects of water management in Ohio. The standards are not only minimal but the lowest quality standard is often selected for use. Particularly upsetting is the state's parsimonious attitude which limits the ability of municipal governments to meet even the minimal quality goals. For example, the state of Ohio has yet to give one nickel to Cleveland for pollution abatement facilities. This in turn denies the city much of the opportunity to receive Federal matching funds.

After three years of so called progress not even a leech or a slugworm can live in the lower Cuyahoga River. If pollution is to be abated in Lake Erie we are going to have to adopt strict regulations and enforce them. The abatement process will be very expensive. The inexpensive approach with illusory goals will destroy the Lake and with it life as we now know it. The choice should be obvious.



It is with sadness that we report the sudden demise of Joseph M. Berne, '08 on Saturday, July 20, 1968. A true friend and loyal alumnus, his passing leaves a great void in his profession, community, and in the ranks of the graduates of the Law School.

Joseph M. Berne and J. M. Ulmer, both of the class of 1908, have just celebrated their sixtieth year of practice together. Ulmer and Berne became affiliated as partners immediately after their graduation from Reserve Law School in 1908. Their present firm is ULMER, BERNE, LARONGE, GLICKMAN & CURTIS and their offices are located at 1130 Keith Building. Both men are lively, enthusiastic and interesting. Berne still carries on a full law practice and is in the office every day while Ulmer continues to visit the office three days a week and maintains a vigorous schedule of outside activities.

In their early days in law practice, the two occupied a backroom in Ulmer's father's mortgage company office. They shared one double desk and when one would have a client, the other had to leave the office. When asked what type of practice they handled in those days, Berne replies, "Anything we could get our hands on."

Berne and Ulmer became brothers-in-law in 1912 when Ulmer married Berne's sister, his high school sweetheart.

Their practice had expanded by 1916 to the point where they took in another man and in 1946, they joined with several others to form the present firm which now includes 22 men.

Berne's career has been marked with several noteworthy achievements. He has represented several mortgagees in cases tried before the Ohio Supreme Court and has established binding precedents on their priorities over mechanics' liens. In one of these cases, he was opposed by every major leader of the Akron Bar and Wendell Willkie who later ran for President. In 1924, Berne developed an extensive plan to save the homes of a large number of Cleveland citizens who had been threatened with foreclosure and the Cleveland Plain Dealer on May 7th of that year headlined his suggestion. Berne's plan was eventually implemented and worked effectively to save these homes.

Berne has also been a major leader of the Jewish Federation of Cleveland and served as that organization's president from 1936-45. He was the person chiefly responsible for raising the necessary funds for construction of the Federation's new building on Euclid Avenue. He has also served as vice-chairman of the City Plan Committee of the Chamber of Com-



merce and was a pioneer in the area of slum clearance and public housing.

"Yank" Ulmer, as he is affectionately known to most of the school's alumni, has worked for many years to improve the administration of justice in state and federal courts. Ulmer has received letters from the chief administrative officers of the U.S. courts commending him for his large role in the passage of laws to increase judicial salaries.

In 1946, "Yank" Ulmer began to suffer from cataracts. He was disturbed by the lack of medical knowledge in the blindness prevention area and determined to take whatever action he could to improve the situation. He joined with Al Hirshberg, a Boston sportswriter also interested in the problem, and Dr. V. Everett Kinsey, head of the Howe Laboratory on Eye Research, to incorporate the International Federation for Eye Research which is still in existence. Through that organization, he worked in Congress for a bill which established the Neurological Diseases and Blindness Institute of the Public Health Service.

The International Federation raises funds privately for eye research and Ulmer is proud of the fact that it has no staff or administrative expenses. Every penny raised by the organization goes directly to eye research. The Neurological Diseases and Blindness Council of the Public Health Service actively involves the federal government in problems of eye disease research, and Ulmer has been a member of its International Advisory Board. Through his work, Ulmer has helped to raise many millions of dollars for medical research. In 1926, he was appointed an honorary member of the Association in the Research of Ophthalmology, Inc., one of the few laymen ever to receive this honor.

Both Ulmer and Berne are members of our Society of Benchers. The congratulations of the entire alumni of the school go to them in their sixtieth year of practice together.



Annual Alumni Banquet

280 Law School Alumni, Faculty, Law School Seniors and their guests had a grand time at the Annual Alumni Banquet on Tuesday, May 21 in the Gold Room of the Sheraton-Cleveland Hotel. The evening was considerably brightened at the very outset due to the kindness of the National City Bank, Society National Bank, Capital National Bank and The Continental Bank which jointly provided an open bar. A prime rib of beef dinner was followed by addresses by Victor DeMarco, '33, outgoing President of the Alumni Association, and Robert W. Morse, President of Case Western Reserve University. Dean Toepfer delighted the audience with the surprise announcement that Juris Doctor degrees will be retroactively awarded to all alumni of the Law School. (For mechanics on transfer of degrees, see page 14). The Dean noted that he was about the only man left in the room with a mere LL.B.

A rollicking address was delivered in the humorous style of East Texas by guest speaker, Bob Murphey, who is internationally known for his knee-slapping brand of comedy. Murphey expressed pleasure over the fact that the members of the audience could now consider themselves "doctors" and told them they could immediately go out and start charging higher fees.

The Fletcher Reed Andrews Distinguished Alumnus Award was presented by Samuel T. Gaines, '23 to Peter Reed, '25 for outstanding service to the School and to the community. Charles R. Ault, '51, Chairman of the Alumni Association Nominating Committee, then presented the Committee's report and officers and members of the Board of Governors were elected for the year 1968-69.

Though not noted for its brevity, (adjournment was at 10:20 p.m.), the evening was highly successful. William R. Van Aken, '37, Chairman of the Law School Alumni Banquet Committee is to be commended for a very fine job.



Richard F. Stevens '40 accepts the gavel and presidential duties from outgoing Alumni President Vic DeMarco '33.



Law Review Achieves Growth and Increased Autonomy

Case Western Reserve Law Review, entering its 20th year of publication, is embarking on a new era of growth and autonomy. In recent years the *Law Review* has expanded its base of contributors, raised the quantity of its staff, and published in an ever broadening range of subject areas. Well known judges, scholars, and practicing attorneys from across the nation have contributed top quality articles to the *Review*. A sufficient number of articles are now regularly being submitted to the *Review* so that it is possible for the staff to pick the best from among a number of good choices.

The growth of the Law School has aided the *Review* by increasing the number of talented students available to serve on the *Law Review* staff. Even though the Vietnam conflict threatens to take many second year students from the school, this year's Editors look forward to selecting an excellent class of Associates (formerly known as Apprentices). Student writing in the past couple of years has achieved a high level of excellence, with students publishing thorough articles in such sophisticated and difficult areas as tax, securities regulation, welfare law, constitutional law, and commercial law. Faculty advice and support for these student authors has helped to guarantee the continued excellence of student offerings.

Newly emerging legal issues are regularly analyzed in lead and student articles alike. Articles were published last year on the Supreme Court's failing legitimacy as a judicial institution (Lewis, *The High Court: Final . . . But Fallible*, 19:528), on statistical analysis of circumstantial evidence (Liddle, *Mathematical and Statistical Probability as a Test of Circumstantial Evidence*, 19:254), and on Selective Service Problems (Note, *New Draft Law: Its Failures and Futures* 19:292). The *Review* has also experimented with extending its subject areas to include interdisciplinary approaches to legal problems, using the tools of the Arts and Sciences to understand the processes and responses of the Law. Notably, the first issue of the just completed Vol. 19, which was devoted to a symposium entitled *Science Challenges the Law*, includes articles by a Nobel prize-winning biologist, a political scientist, a philosopher, and by business executives.

Concurrent with this intellectual growth, the *Law Review* has moved toward becoming a soundly run



business venture. The *Review* will not become financially independent of Law School support in the foreseeable future. However, sound business practices, particularly those instituted by David L. Rosenzweig '68 and Fred A. Watkins '68, the 1967-68 Editor-in-Chief and Business Manager, have resulted in the *Review's* greatly reducing its deficit. This fiscal maturity has made it possible for the *Review* to risk divorcing itself from the Alumni Fund to independently solicit subscriptions from Alumni for the first time.

The *Law Review* needs Alumni support. This year an envelope is enclosed with this issue of the *Law Alumni Review*. Alumni wishing to renew their subscription must complete and return the envelope. **NO ALUMNI SUBSCRIPTION WILL BE AUTOMATICALLY RENEWED.** As is traditional the Alumni Office will give each 1968 graduate the first two issues of Vol. 20 of the *Review*. 1968 Alumni should note their year of graduation on the envelope and pay only \$4.50 rather than the full subscription price of \$9.00 if they wish to subscribe for the full year.

The 1968-69 Law Review staff proudly looks forward to a year of continued growth and excellence. The staff cannot alone achieve its goal but is dependent on the financial and academic support of Law School Alumni. We hope that you will not only subscribe to the *Review*, but that you will also offer us advice and criticism and the opportunity to publish your work.

The Law Review provides its readers with legal discussion of a myriad of issues by outstanding scholars and practicing attorneys. Our alumni are frequent contributors. The Law Review is also a vital segment of the Law School program.

It offers high-ranking law students intensive training in writing and researching and thus provides them with an excellent background for law practice. Such an organization deserves our highest support, and I strongly urge you to subscribe.

Richard F. Stevens, L'40
President
Law Alumni Association.

DEAN'S DESK

Our Commencement speaker, Burt W. Griffin, called for the new graduates to devote themselves to the solution of problems in our urban communities. It was an appropriate commencement message. Mr. Griffin then scolded the faculty for not being more "involved" with the challenges of racial discrimination, poverty, urban renewal, juvenile delinquency, water and air pollution, local taxation, welfare legislation, police conduct or metropolitan government.

Had he been fully informed, I think he would have praised, rather than criticized the faculty for the extent of its commitment to these problems. Quite appropriately he recognized the valuable work of Mr. Shanker on sales and credit problems facing the consumer. He apparently was not aware of Mr. Reitze's extensive participation in hearings and committee work concerning air and water pollution, nor did he know about Mr. Ross' efforts on behalf of mentally ill and aged persons. Although he gave credit to Mr. Coffey who has made a large contribution to community development in the Mount Pleasant area, Mr. Griffin failed to mention Mr. Robbins' similar work in the Glenville area, and his participation in Legal Rights 216. He did not acknowledge Mr. Schroeder's extensive activity in most of the areas mentioned nor did he give him credit for the work that he has done to help police and other law enforcement officers understand the proper limits of police conduct. No mention was made about Mr. Lewis' responsibilities in the area of fair employment practices, nor about how hard Mr. Katz has worked to help improve the administration of criminal justice.

I agree with Mr. Griffin that law

school faculties must take a part in meeting community problems. Yet, I think he should have said that this important work must have second priority to the main purpose of education which is the instruction of students. He should also have recognized that a law school faculty must be concerned with all significant legal problems, and that some members of the faculty must devote attention to matters not directly related to the poor, but, which are nonetheless vital to our society.

There are many demands upon law teachers, and each of them must carefully select what it is best for them to do. Most important is their responsibility for the education of their students. I think it is entirely appropriate for a teacher to decide that every working moment should be devoted to instruction, preparation of course materials, and scholarly writing. Those who urge teachers and students to become "activists" often fail to realize both how important and how difficult it is to produce well-trained, highly disciplined legal minds. The great struggle to improve the lot of mankind will not be much affected by lawyers who cannot think or write in a clear and precise way. Teachers who choose to devote themselves entirely to giving a high quality program of education are certainly making an important contribution to society, and, in my opinion, deserve no criticism for their devotion to the main purpose of the Law School.

In addition to the requirements of teaching and scholarship there are many burdens put upon the faculty in maintaining the Law School and the University as a center of learning. Mr. Shanker and Mr. Haskell have given countless hours to the deliberations of the Constitutional Assembly which represents all of the University faculties in the effort to develop a single faculty for the new University and to define its authority and responsibility. Both were chosen by the Assembly to serve on the Steering Committee, which is clear evidence of the high regard which their University colleagues have for their judgement and devotion to the cause of a strong university. In addition, every member of the faculty has been busy and helpful in the affairs of the Law School and its students through committee work and direct involvement. Mr. Culp, for example,

has taken full responsibility for developing and administering a graduate program which has brought continuing and specialized education to hundreds of lawyers.

I doubt that one can find within the University any other faculty whose members have as many student contact hours, whose teachers work with less assistance in instruction and examinations, and who are at the same time as deeply involved in public and university affairs as is the faculty of Law. Much as I respect Mr. Griffin for his great accomplishments with Legal Aid, I think he was uninformed about what the faculty is and should be doing when he scolded them on Commencement Day.

OBITUARIES

Judge John A. Corlett '31, first judge of the Shaker Heights Municipal Court, died of a heart attack on May 9, 1968. Judge Corlett, a Republican, served in the Ohio Senate in 1943 and 1944 and in the House in the 1947-48 term. He was a past president of the Cuyahoga County League of Young Republicans Club and served as a member of the Board of Governors and Chairman of the policy committee of the North American Judges Association. Judge Corlett's court served Shaker Heights, University Heights, Pepper Pike, Hunting Valley and Beachwood.

Merle M. McCurdy '47 died of a stroke on May 6, 1968. Mr. McCurdy served for the past seven years as the United States Attorney for the Northern District of Ohio. He just recently served as General Counsel for the Commission on Civil Disorders appointed by President Johnson.

Mr. McCurdy was the county's first Public Defender. His civic and philanthropic offices were almost limitless and included President of the Cleveland Chapter of the Federal Bar Association and Board or Trustee memberships on the National Conference of Christians and Jews, American Cancer Society, Cleveland Legal Aid Society, Society for Crippled Children and Cleveland and Cuyahoga County Bar Association. Mr. McCurdy taught as a lecturer at the Law School and was a member of the Law School's Board of Governors.

FACULTY NEWS

Associate Professor David T. Smith is leaving the school in August to teach at the University of Florida Law School in Gainesville, Florida. Professor Smith has been at the Law School since 1963 and his major subjects have been Property and Trusts and Estates. He has also served as faculty advisor to the Law Review and as Chairman of the Admissions and Financial Aid Committee.

Dean Louis A. Toepfer was the main speaker at the annual dinner of the Cleveland Council on World Affairs on Monday, May 27. He addressed the Council on the topic, "Liberty, Responsibility and the Law." At the conclusion of the meeting, he was elected a trustee of the Council. The Dean was a guest at the 6th Circuit Judicial Conference on May 23 and 24 in Lexington, Kentucky. On May 16th, he spoke at the Cincinnati Law Review banquet. On May 1st, he delivered a Law Day address to students and alumni of Mt. Union College and to members of the Alliance County Bar.

On May 21, 1968 Librarian Simon Goren gave a speech on "The Library—Present and Future" to Tau Epsilon Rho International Fraternity.

Professor Oliver Schroeder, Jr. was a recent participant in a conference on Mineral Resources of the Sea at the Naval War College in Newport, Rhode Island. He delivered an address on "Religion and Law" at the First Christian Church in Louisville, Kentucky on May 26 and spoke on "Restless Men, Restless Society, Restless Church" at the Virginia State Convention of the Disciples of Christ in mid-May.

Professor Schroeder has recently been elected Vice-Mayor of Cleveland Heights. He has also been chosen as Chairman of the Saxbe for Senator Committee of Cuyahoga County and has been elected to a 15 member national committee to write a plan of union for nine Protestant denominations.

Professor Schroeder was the author of Chapter Two on "Medical Issues in Legal Cases" in the new edition of Gradwohl's *Legal Medicine*. He also wrote "COCU in World Terms" in the June issue of *World Call*.

Professor Morris Shanker was a principal speaker at the following regional conferences on Poverty Law: Houston, Texas (March 22), Chicago, Illinois (June 14) and New York, New York (June 28). He spoke at these conferences on the topic "Warranties Available to the Consumer."

Professor Shanker was also a principal speaker at an Arbitration Conference held in Cleveland on June 20th. His topic was "Arbitration and the Uniform Commercial Code." From June 4 to June 8, he attended the meeting in Washington of the Supreme Court Advisory Committee on Bankruptcy Rules where he acted as consultant and assistant reporter.

Associate Professors Arnold Reitze and Lewis Katz have both become the proud fathers of baby girls. Lewis and Jan Katz have named their baby Brett Elizabeth and Arnold and Edna Reitze's child is named Rebecca.

Assistant Dean Earl M. Leiken delivered a Law Day address on May 1st at Cuyahoga Community College, Western Division. He attended a national conference of law professors on Professional Responsibility Training in Law Schools at the University of Colorado in June. Later this summer, he will attend a two week workshop on Law School Administration at New York University's School of Law.

Associate Professor Arnold Reitze, Jr. has written two book reviews in 19 Case Western Reserve Law Review. One is a review of *Water Rights* by J. H. Beuscher and the other is a review of *Tax Factors in Real Estate Operations*. Professor Reitze has an article in the same issue on *Choice of Forum in Tax Litigation*.

PROFESSOR MAURICE S. CULP TAKES LEAVE OF ABSENCE NEXT YEAR

After sixteen consecutive years of teaching with no sabbatical leave, Professor Maurice S. Culp will be on leave of absence in 1968-9 for the purpose of completing a revision of his course book on the Administrative and Legislative Process. This book was originally prepared and published in 1957 in multilith form as a result of a faculty decision in 1954 to combine in one new course the study of the legislative process and the existing course in administrative law.

Professor Culp serves as Director of the Graduate Program at the law school and was Acting Dean for Academic Affairs from 1961-65.

LL.M. PROGRAM REVISES DEGREE REQUIREMENTS

The faculty committee on the graduate Program worked throughout the academic year 1966-1967 on the revision of the qualitative and quantitative standards for the LL.M. degree. These new requirements became effective for all students admitted to study with appropriate "grandfather" clauses for persons who had substantially complied with the standards in effect from 1951-1967.

Since the degree program is largely undertaken on a part-time basis, the admission policy was not changed, and the five calendar year period for the completion of all requirements for the degree has been retained. The important qualitative changes are: (1) the requirement of a B average in order to continue in the degree program after the semester in which the student has completed the first eight hours in the graduate level courses; (2) after the admission to candidacy present at least ten more hours of approved course work and six hours of thesis research, with a cumulative average of B on all work undertaken, including the thesis, after admission to study.

The important quantitative changes include: (1) the requirement of a minimum of 18 semester hours of approved course work; (2) independent thesis research with six semester hours of credit; and (3) an acceptable thesis.

A minimum residence requirement of two semesters is now in effect.

ALUMNI NEWS

Reserve Law graduates recently made a clean sweep of the major offices of the Portage County Bar Association for the 1968-69 term. Elected President was John A. Williams '50, senior partner in the Kent, Ohio law firm of Williams and Purtill. Williams has previously served as Solicitor of the City of Kent and is now the President of the Kent City Board of Education. Judge Robert L. Kent '47, was elected Vice-President. Judge Kent's activities include Chairman of the Board of the American Red Cross and member of the Ravenna City Board of Education. Charles E. Zumkehr '64, who is associated with the law firm of Williams and Purtill in Kent was elected Secretary-Treasurer.

John G. Day '61 of Washington, D.C. has been selected as special counsel for the auto insurance study of the Department of Transportation. Mr. Day has been serving as a consultant to the Transportation Department in its preliminary planning for this study and has published studies of transportation liability questions in leading legal publications. Previously, he was special assistant to the Vice Chairman of the Federal Power Commission.

James H. Hoffman '36, President of the Mansfield Tire and Rubber Company has been elected to an eight-year term as a Trustee of his alma mater, Lafayette College. Mr. Hoffman received an honorary Doctor of Letters degree from Lafayette in 1964 and is also a member of the Board of Trustees of Ashland College. He and his wife, Virginia, have three children and live at 550 Edgewood Road, Mansfield, Ohio.

Mr. Walter F. MacQueen '10, President of the McKinley Federal Savings

and Loan Association in Niles, Ohio has just celebrated the Association's 50th anniversary. Mr. MacQueen is the only surviving founder of the Association which opened its doors for business on May 11, 1918. When the bank opened, it had 17 savings accounts totaling \$4,978. Today, more than 7,600 depositors hold more than \$14,650,000. Mr. MacQueen has been extremely active in all aspects of community life in Niles, and has served as a director of several companies, city solicitor, school board member and legal adviser to the local draft boards. He lives at 1363 Cortland Road, Niles with his wife Helen. His son James R. MacQueen is associated with the MacQueen & MacQueen law firm in Niles Bank Building. The MacQueens have four grandchildren.



WATTS

Mr. Charles T. Watts '41 has been appointed to the Materials Science and Engineering Division of the General Electric Research and Development Center as Laboratories Patent Counsel. Mr. Watts received his undergraduate degree from Western Reserve University. He joined General Electric's Patent operation in 1958 after serving as patent counsel for the Diamond Alkali Company and the federal government and as a partner in the firm of Richey and Watts in Cleveland, Ohio. Mr. and Mrs. Watts live at 2516 Peters Lane in Niskayuna, New York.

Hal H. Newell '47 has been named manager of a newly created Government Relations Office by Eaton Yale & Towne Inc. The new office will be located in Washington, D.C. and will serve as liaison between Eaton Yale & Towne's many diversified operations and the legislative branch and administrative agencies of the Federal Government.

(Continued on next page)

LAW SCHOOL ALUMNI ASSOCIATION

PAST PRESIDENTS

- *1918-19 ROBERT B. NEWCOMB, '99
- *1919-20 CARL D. FRIEBOLIN, '99
- *1920-21 S. CHESTER CROBAUGH, '14
- *1921-22 BARTLETT C. SHEPHERD, '03
- 1922-23 CLINTON M. HORN, '13
- 1923-24 FRANK H. PELTON, '06
- *1924-25 CHARLES W. STAGE, '95
- *1925-26 SAMUEL E. KRAMER, '03
- *1926-27 CLINTON DEWITT, '12
- *1927-28 HENRY J. CRAWFORD, '98
- *1928-29 CARL V. WEYGANDT, '18
- 1929-30 J. HALL KELLOGG, '17
- *1930-31 ROBERT F. BINGHAM, '16
- *1931-32 JOHN H. KAPP, '20
- 1932-33 JOHN W. BARKLEY, '14
- *1933-34 LAWRENCE C. SPIETH, '07
- *1934-35 SAMUEL HORWITZ, '11
- *1935-36 FRANCIS H. BEAM, '24
- *1936-37 MARCELLUS DEVAUGHN, JR., '15
- 1937-38 FRANK H. PELTON, '06
- 1938-39 MILLER B. PENNELL, '13
- *1939-40 TRACY H. DUNCAN, '03
- *1940-41 BENJAMIN D. GORDON, '16
- *1941-42 JOHN T. SCOTT, '13
- 1942-43 WILLIAM L. WEST, '29
- 1943-44 WILLIAM L. WEST, '29
- 1944-45 WILLIAM L. WEST, '29
- *1945-46 NELSON J. BREWER, '08
- 1946-47 J. PAUL THOMPSON, '06
- 1947-48 J. HALL KELLOGG, '17
- 1948-49 HORACE ANDREWS, '33
- 1949-50 LISLE M. BUCKINGHAM, '19
- 1950-51 THOMAS J. HERBERT, '20
- 1951-52 HAROLD O. ZIEGLER, '24
- 1952-53 ERNEST J. BOHN, '26
- 1953-54 ERNEST J. BOHN, '26
- 1954-55 ANDREW PANGRACE, '32
- *1955-56 J. VIRGIL CORY, '20
- 1956-57 RICHARD L. MCNELLY, '26
- 1957-58 IVAN L. MILLER, '38
- 1958-59 IVAN L. MILLER, '38
- 1959-60 PETER REED, '25
- 1960-61 NEATH W. WILSON, '24
- 1961-62 WENDELL A. FALSGRAF, '28
- 1962-63 WILLIAM L. ZIEGLER, '55
- 1963-64 NORMAN A. SUGARMAN, '40
- 1964-65 ANDREW J. MCLANDRICH, '50
- 1965-66 MARVIN J. LARONGE, '28
- 1966-67 MARVIN J. LARONGE, '28
- 1967-68 VICTOR DEMARCO, '33
- * Deceased.

Mr. Newell has been with the Dill Division of the company since 1953. Prior to that time, he was an attorney with the Cleveland law firm of Squire, Sanders and Dempsey. He is a graduate of Dartmouth College.

Mr. and Mrs. Newell and their family live in Gates Mills, Ohio and are to move to Washington, D.C. in the very near future.

David B. Saxe '66 is an Assistant Professor of Law at the City University of New York and is practicing law in New York City as a member of the firm of Saxe and Prenner.



MOSS

LAW GRAD ELECTED

Robert D. Moss of the class of 1933 has been elected President of the Ohio State Bar Association. Mr. Moss has practiced law in Barberton, Ohio since 1937 except for four years spent as a staff intelligence officer with the Air Force in World War II. While in the Air Force, he rose to the rank of Major and was awarded the Bronze Star Medal and two battle stars. In Barberton, Moss has been highly active in community and civic affairs, having served as president of the Akron Bar Association, Summit County Legal Aid Society and American Red Cross-Barberton Chapter. He is also Vice-President and General Counsel of the Barberton State Bank.

Moss' present law firm is Moss and Friedman. He lives with his wife, Ruth, and a daughter, Suzanne at 875 Mentor Road in Akron. An older son, Kenneth, is presently in military service.



COFFEY

FACULTY-ALUMNI LUNCHEON

Alumni, faculty members, and their guests had the pleasure on May 3, 1968 of hearing Associate Professor Ronald J. Coffey speak on his new course in Business Planning. Professor Coffey described the "problem method" by which the course is taught. Rather than dealing with cases in one isolated area of law such as contracts, corporations, or tax, the student in the Business Planning course is confronted with situations in which clients have requested advice and planning regarding various types of busi-

ness transactions. Normally, these transactions raise legal problems in a number of areas. The student must work with the knowledge obtained from previous law school courses and learns that the practice of law requires the lawyer to interrelate various legal subjects in solving business-legal problems.

The course is offered in the third year of law school and assumes a general knowledge of corporate and tax law. Several alumni attending the talk expressed the opinion that Business Planning seems to serve the highly useful function of bringing the law school experience closer to the realities of practice.

J.D. DEGREE RETROACTIVELY AWARDED TO ALUMNI

At the annual alumni banquet on May 21, 1968, Dean Toepfer announced a decision of the Board of Trustees of Case Western Reserve University to offer the designation of Juris Doctor to all LL.B. degree recipients. The J.D. is the degree presently awarded to graduates of the Law School.

(Continued on next page)

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J.D. Degree - Cont.

All alumni have received a letter containing a form to be completed by those who wish to receive a certificate verifying their right to use the J.D. degree. The cost will be \$25 to cover the expense of the certificate and its mailing.

Questions concerning this matter should be directed to Mrs. Leona Miller in the Office of the Secretary of the University at 368-4301.

NEW BENCHERS

The following alumni have been elected to the Society of Benchers by the Board of Governors of the Alumni Association:

James L. Amerman 1906

Vincent K. Smith 1920

Fletcher Reed Andrews 1925

J. Sumner Canary 1927

Marvin J. Laronge 1928

Elected as a public member was the Honorable Girard E. Kalbfleisch, U.S. District Court, N.D. Ohio

FUND DRIVE GOES OVER TOP!

Dear Alumni:

It is my pleasure to announce that we have gone beyond our goal of \$100,000.00 for the 1967-68 Law School Alumni Annual Fund Drive. 1304 donors have contributed \$100,374.41. In addition, lawyers who are not Alumni of our School have responded with an additional \$13,312.00 which enables us to establish the Carl D. Friebolin Memorial Scholarship Fund. This drive was chaired by Theodore Spilka, L'26.

We once again established a new record high average gift of \$77.00 per donor. The continuing interest and participation of our Alumni has projected us into a level of alumni giving that compares favorably with similar funds across the country including the law schools of Harvard, Yale, Columbia and the University of Chicago.

To all responsible—donors, vice chairmen, class chairmen and workers—I express my heartfelt thanks with the hope that in the years to come you continue to express this deep feeling of loyalty to our School of Law.

Sincerely,

DAVID I. SINDELL, L'36
Chairman



REED

PETER REED WINS

ANDREWS ALUMNUS AWARD

Peter Reed '25 was named Alumnus of the Year and presented with the Fletcher Reed Andrews Distinguished Alumnus Award at the annual banquet.

Reed went to work with his present firm, Arter, Hadden, Wykoff and Van Duzer immediately after his graduation from law school. He has served as Chairman of the Visiting Committee for the School of Law and is currently an alumni representative on the CWRU Board of Trustees.

For a number of years, Reed has served as Trustee of the Musical Arts Association and he is Chairman of the Summer Site Development Committee for the Blossom Center.

LAW ALUMNI REVIEW

Summer, 1968

The LAW ALUMNI REVIEW is published quarterly by the Alumni Association of the Franklin Thomas Backus School of Law of Case Western Reserve University, Cleveland, Ohio 44106.

Officers of the Alumni Association, 1968-69: *President*, Richard F. Stevens, '40; *Vice President*, David I. Sindell, '36; *Secretary-Treasurer*, Richard C. Renkert, '50.

Director of Alumni Affairs, Gordon W. McCarter, Adelbert, '54.

Editor: Earl M. Leiken

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Law Alumni Review



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