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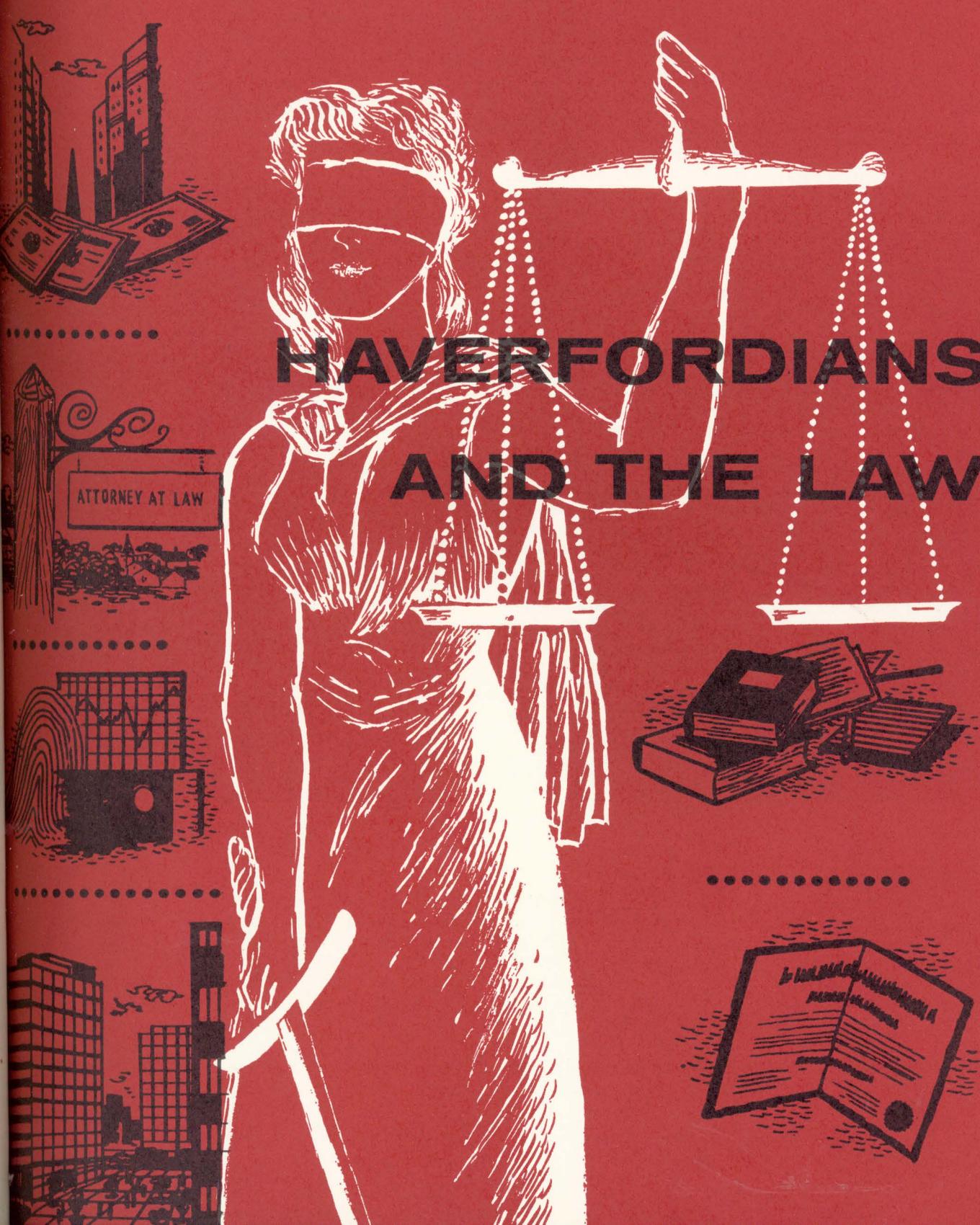
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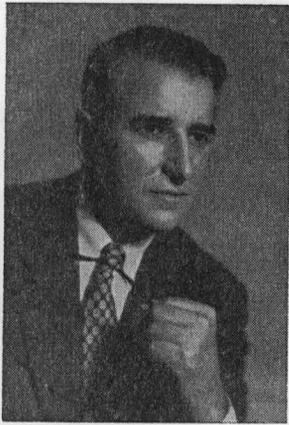
APRIL, 1962

Vol. 3 No. 4

HORIZONS

HAVERFORDIANS AND THE LAW





THE VIEW FROM ROBERTS HALL

I know that I speak both for Archibald MacIntosh and myself when I say that though we had wonderful trips in January we were glad to get back to the College in time for the second semester. He was asked by the African Scholarship Program of American Universities to head a delegation to Africa to sit with the local selection boards for African students com-

ing to American colleges and universities. As a result, between two and three hundred carefully screened African students will be coming to the United States next year. We are proud to have three enrolled this year.

I was grateful to the Board of Managers for granting me leave which allowed me to accept appointment as Chairman of the United States delegation to the Japan-United States Conference on Cultural and Educational Interchange in Tokyo from January 25-31. It was a stimulating, rewarding, though strenuous experience which gave me a unique opportunity to catch up on contemporary developments in Japan. In brief, thanks largely to the expert and untiring efforts of Ambassador Edwin O. Reischauer, Japanese-American relations have improved markedly in the last two years. The Conference was most successful and made what I believe were significant recommendations to both governments on how cultural interchange can be improved to strengthen further the ties between the two countries.

By far the most exciting development since the last issue of HORIZONS has been the receipt of the bids for the new Chemistry-Mathematics-Physics Building from a selected list of contractors, the approval by the Board of Managers for the College to proceed with signing forthwith the contracts with them and the expectation that ground will be broken as soon as the weather permits. It was a pleasant surprise to find that the bids were about fifteen per cent below the last estimates. Thus the College will be able to build the new building for approximately two million dollars, the figure first used about two years ago.

As we progressed in our discussions with the architect and engineers, we discovered that if we were going to be able to meet all of our requirements for offices, classrooms, student and research laboratories, an auditorium or lecture hall seating about two hundred persons, and a library serving the three departments, we would need about 64,000 square feet rather than 60,000. The Building Committee also requested the architect and engineers to give us estimates on the cost of air conditioning the entire building. We are greatly pleased, therefore, to report that this extra space and complete air conditioning are included in the cost approved by the Board. The general contractors will be Nason and Cullen, the mechanical contractor is W. M. Anderson Company and the electrical work will be done by H. B. Fraser and Company. The contracts call for the completion of the work by July, 1963, which means the new building should be ready for the academic year 1963-64.

As we have not yet been able to obtain large grants from foundations to cover the cost of the building, the Board of Managers at a special meeting on March 2, 1962, authorized a loan of at least \$1,000,000 so that construction of the building could begin immediately and funds would be available for all of the objectives of the present \$3.6 million development program. We are greatly encouraged by the commitments which we have received from our Alumni and friends and from other sources, which have increased since my last report by \$200,000 to \$1.4 million.

It is particularly thrilling to know that the planning stage for this vital addition to our physical plant is completed. During the coming year we will see a marked change in our physical appearance. The ground crew has already demolished the Morley-Babbitt-Sutton house on Walton Road and cut down the trees where the new building will rise. We are sorry to see any of them go, but have placed the building in such a way as to save as many of them as possible. We hope that many of you will make frequent visits to the College in the next year and a half to be able to share with us the satisfaction of seeing this important new facility for our faculty and students become a reality.

HUGH BORTON

March 9, 1962

ROUNDAABOUT

● Dr. John F. Gummere, '22, headmaster of The William Penn Charter School and a member of the Board of Managers, has been elected chairman of the Board of Directors of The National Association of Independent Schools. The organization has a membership of seven hundred schools nationwide and in some other countries, notably Canada. About a quarter of a million pupils are enrolled in these schools.

● A. Douglas Oliver, '19, was recently named a vice president at Franklin & Marshall College. Oliver, a

former vice president in charge of the estate planning division of the Trust Department of the Girard Trust Corn Exchange Bank, Philadelphia, joins a dozen other Haverfordians who hold high administrative positions in various colleges and universities. They include two presidents, two vice presidents in addition to Oliver, and seven deans.

● James Wood, '50, was recently made a vice president of the Bank of New York. Wood joined the bank in 1954.

HAVERFORD COLLEGE HORIZONS

APRIL, 1962

VOL. 3, NO. 4

Editor: WALTER C. BAKER

Managing Editor: RICHARD D. KUBIK

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In this last issue of our third year of HORIZONS, we have concentrated, as you can see, on Haverfordians and the Law. We are disappointed that most of our subjects did not have the time to write their own stories, but hope that our accounts of their activities will convey something of their interests, abilities and devotion to an exacting profession.

As we look back over three years of publication, we are pleased that we have covered so much of the Haverford scene, but impressed with the amount left untouched. We would welcome your suggestions as to how we can bring you a fuller or better picture.

Haverford College, as you know, is a complex collection of individuals, taking much of its character from them. The activities of our alumni cover an even wider area of human experience. Our hope is that we are bringing you a sampling which indicates the quality and scope of the work of the Haverford family, be they professors, undergraduates or alumni. It is not easy to imagine an abler body of men, nor a group with greater dedication to and interest in their varied worthwhile pursuits.

Along with this diversity, the Haverford family has an underlying unity which makes the College greater than the sum of its members. Beyond the day-to-day events, beyond the planning for the future, beyond the Development Program, anyone who is in touch with the faculty, students and alumni feels the living, continuing tradition of respect for learning and for our fellow men.

We hope that our pages have brought you, along with a view of our current activities, something of this widespread concern for Haverford's larger goals.

WALTER C. BAKER, *Editor*



WALL STREET WATCHDOG

At the end of the long, narrow corridor, the door reads: "Office of Regional Administrator." Behind it, in a wood-and-tapestry-panelled office high above New York's financial district, Llewellyn P. Young, '45, calmly summarizes his work.

"It's primarily an enforcement job," he says. "Investigation and enforcement."

This statement is accurate but gives little indication of the variety, sensitivity, importance and complexity of Llew's duties as Administrator of the New York Regional Office of the U. S. Securities and Exchange Commission. As head of the region covering the heart of America's financial world, he is a key man in the never-ceasing effort to make sure that the whole financial community meets the standards prescribed by the law.

Each day, by phone and mail, come queries, complaints, tips, formal applications, requests for rulings—a staggering volume of material, most of which requires prompt action by the office, if it is to fulfill the responsibilities which the law lays upon it.

"We are understaffed and overworked," Young says, and a casual observer, seeing the staff in action, the filing cases scattered about the offices and corridors, senses the pressure, importance and excitement of Young's task.

"I usually leave home about 7:30 in the morning and get back 12 hours later with a batch of work which keeps me busy until midnight," Young adds. His staff of "under 200," including 30 or 40 lawyers, has processed this material, but the final decisions are Llew's and it is evident, in talking with him, that he feels the pressure of this responsibility.

A good part of the staff's time is involved in checking anonymous tips, letters of complaint and possible irregularities uncovered by its own Market Surveillance group. Unusual price changes in the shares of a particular issue which are traded, variations in its price which do not seem justified by current developments in the Company's position—in short, an irregularity is likely to produce an informal investigation by Llew's staff.

"Our job is to catch any violations of the regulations before any harm can be done," Llew says.

In addition to the surveillance work described above, complaints, anonymous tips, and routine reviews initiate numerous "quizzes" or informal investigations which can produce either no results or drastic ones.

In the case of registered broker-dealers, investment advisers or investment companies, the SEC can start administrative proceedings to revoke their registration and put them out of business. If quick action is necessary, Young's staff can apply to the courts for an injunction. In case of very serious violations, the matter



can be referred to the U. S. Attorney for criminal proceedings.

With rare exceptions all investigations are conducted quietly. "A broker's chief asset is his reputation," Young says. "Public awareness of the fact that we are investigating could be as damaging as any action we might take."

Accordingly the SEC makes no public announcement until its investigation is complete and it has taken action.

When the action takes the form of public administrative proceedings, the hearings are held in one of two rooms—really court rooms—in Young's offices. The proceedings are trials, with a judge who is called a Hearing Examiner, witnesses and evidence. There are opposing lawyers—Young's staff and the attorneys for the party charged with a violation. After hearing the evidence, the Examiner makes a report and recommendation to the SEC Commissioners in Washington. The case is then re-argued before them and decided, subject to review by the courts.

In addition to investigation and enforcement, Young's office also has a "small issues" section which processes proposed new stock issues to be offered to the public. "Small" means \$300,000 or less.

Young points out that: "Here the watchword is full disclosure. We don't pass judgment on the merits of a security. But we do insist that the seller provide the buyer with all the important facts about it—positive and negative—so that the buyer can use an informed judgment."

If the seller fails to do this, Young's office can stop the sale.

The office also includes in addition a section devoted to answering questions from the public—thousands of letters and telephone calls come in each year. "Some of them are frivolous while others require time and research to answer. But in all cases we try to give a courteous and helpful answer," Young says.

Another portion of his staff works in the field of corporate reorganization. Here the SEC acts as an ad-

viser to the courts, offering its views on the fairness and practicality of plans of reorganization. But whatever the area in which his office works—enforcement, new stock issues, public information or reorganization—it is Young's job to see that the work is done and done well.

Last June, when he accepted the SEC post, Young was virtually unknown to Wall Street. As *Newsweek* magazine quoted one brokerage house: "All we know about Young is that his name is Young, he's a lawyer, and he is young."

He was no neophyte, however, in the securities field. During his 11-year term with Carter, Ledyard & Mil-

burn, he had specialized in corporation law, and had done a good volume of trial work.

"I am certain that the overwhelming majority of corporation financial officers, security brokers and dealers and investors live by the principles of honest dealing which we are here to enforce. Our job is like that of the officials at a football game. We are here to see that rules are observed, and to blow the whistle on infractions before anyone gets hurt."

A talk with Llew Young convinces you that the New York Regional Office has a man who knows the rules and has the energy and ability to enforce them fairly.

SEARCHING FOR THE TRUTH

by DICK KUBIK, *Director of Information*

"It takes two to speak truth—one to speak and another to hear."

So wrote Henry David Thoreau many years ago in his *A Week on the Concord and Merrimac Rivers*. And his words were almost exactly paraphrased early in February by Stephen J. Kindig, '54, as he sat in his office high above the frozen Chicago shoreline and described his work as chief examiner for John E. Reid & Associates, one of the world's most renowned specialists in the use of the polygraph, or lie detector.

"Anyone can learn to manipulate the dials of a lie detector in a few weeks," Kindig was saying, "but there's more to it than that."

Sitting back in his chair in his ultra-modern office, Kindig then went on to explain that it's the person behind the lie detector who makes the real difference. The type of questions asked, the evaluation of the answers, the observation of the person being questioned—all these go into making a polygraph analysis.

And later Kindig gave dramatic evidence of just how important the man behind the machine can be.

In March, 1960, Chicago, the state of Illinois, and the nation in general were horrified as they read of the bludgeon slayings of three prominent Chicago women in a secluded canyon at Starved Rock State Park in north-central Illinois. State police conducted a thorough investigation, but at the end of several months had reached a blind alley in their search for the slayer or slayers. The investigation then passed into the hands of county authorities and at their request into those of Stephen J. Kindig.

Taking a portable lie detector with him, Kindig travelled south from Chicago to Ottawa, county seat of LaSalle County in which the park is located. There he questioned 70 persons who had been in the vicinity of the park at the time the murders occurred. His evaluation showed that of these 70 persons questioned, 67 were telling the truth when they denied any knowledge of the slayings. Of the remaining three, Kindig could not make any evaluation on two, and the third was, in Kindig's judgment, not telling the truth. The police then questioned the third man, conducted a thorough investigation, and the net result was a confession.



Stephen J. Kindig, '54

But, as Kindig pointed out, the most interesting part of the story is that the man who confessed and who was ultimately convicted and sentenced had been given a lie detector test by the state police during their investigation and had been cleared. In other words, giving a lie detector test is one thing and evaluating the results is another.

Kindig recalls that many things he turned up during his questioning in the Starved Rock case pointed toward the man who confessed.

"From past experience and from our files, we were as certain as we could be that whoever killed these women would have received some sort of wound himself."

The reason for this, Kindig points out, is that the women were killed in such a manner that the assailant would almost certainly have been struck or clawed as the victims fought for their lives. And the man who confessed did have scratches on his face and throat.

But not all of Kindig's work is as dramatic as the Starved Rock case. Only a small percentage of the examinations handled by John E. Reid & Associates concern police work. Most of their examinations are conducted for industrial and commercial firms. In addition, attorneys send their clients and witnesses to be questioned by Kindig or one of his six assistants prior to a court trial.

One reason why John E. Reid & Associates handle so many examinations is that police departments do not generally give lie detector tests until after an arrest has been made. Kindig and his aides, on the other hand, hold their examinations while a problem is being investigated. As a result, they must be very

careful to approach each examination with an open mind.

"About three out of every four persons we examine are found to be telling the truth. About five percent give responses that are indefinite and only the remaining 20 per cent do we feel are not telling the truth," Kindig explains.

In outlining his work, Kindig made two disclosures that to a layman seem startling.

"The lie detector test is not infallible," he explained. "Two people can get entirely different results from the same subject."

This is exactly what happened in the Starved Rock case and frequently can be attributed to the training and experience of the examiner.

The other interesting fact is that no one takes a lie detector test at John E. Reid & Associates unless he is perfectly willing to do so. And, the questions to be asked while the person is being given the lie detector test are not only discussed with him prior to the examination, but in many cases the subject helps frame the questions himself.

A subject is never asked more than 11 questions while undergoing one single examination and only five of these actually concern the problem at hand. The others are what are known as control questions, questions the answers to which are known such as—Were you born in the U. S., do you live in Illinois, etc.

"We have found over the years that the more a subject knows about the lie detector and the questions to be asked, the better we will be able to evaluate his answers," Kindig points out.

Over and over again, he stresses that he and his assistants can only give their own judgments or evaluations as to whether or not a person is telling the truth.

"This is why the man conducting the examination is more important than the machine. The machine can give him a graph showing physiological responses, but only he, as a human being, can judge what that graph means."

John E. Reid & Associates are not private detectives or investigators. They do nothing except administer lie detector tests and submit reports and evaluations of those tests. What happens after that is up to the person or persons ordering the examination. Thus, while Kindig and his assistants do travel anywhere in the world if necessary, they conduct most of their examinations in their own office examination rooms.

What is such a room like? Basically, it is a small, well-lighted room containing a desk into the top of which is inserted a lie detector. There is a chair for the examiner and one for the subject. The subject's chair is equipped with ultra-sensitive pneumatic tamboours on the arm rests and on the seat. These tamboours are so sensitive that they can record the slightest muscle twitch in any part of the subject's body.

"Anybody can attempt to 'beat' a lie detector test simply by swinging his hands around or tensing his muscles. Some subjects resort to curling their toes, too. This special chair tells us when a subject voluntarily or involuntarily does something like that," Kindig explains.

An average examination lasts about an hour. Last year, over 5,000 individuals were examined.

The use of lie detectors is centered in Chicago, according to Kindig. It is used much more there than in other cities, such as New York or Philadelphia. One reason, perhaps, is the long history of its use in the Windy City. Back in the era of Chicago's big-time gangster mobs and particularly as a result of the infamous St. Valentine's Day Massacre, some prominent citizens of the city banded together and donated a sum of money to establish a modern, scientific crime laboratory at Northwestern University. Later this laboratory was sold to the city of Chicago and one of the first police recruits trained there was John E. Reid, a graduate of the DePaul University Law School. Reid became an expert in the field of lie detectors, developing the control question technique and patenting a lie detector himself. In 1947 he established his present firm, the fame of which has spread around the globe. Foreign governments have sent men to be trained by the firm and so have police departments across the nation.

Kindig himself became interested in lie detectors during his student days as a psychology major at Haverford.

"In everyone's life, there stands someone who has helped lead you to your life's work or goal. For me, it was Professor Abe Pepinsky, who was chairman of the Psychology Department while I was at Haverford," Kindig says.

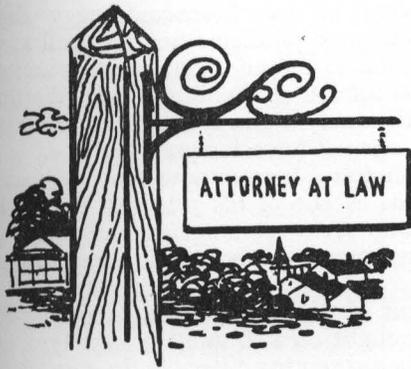
During his senior year, Kindig helped a classmate who, for his senior research project was conducting a study of advertising perception. Kindig went to the college bookstore for a book on lie detectors, got one written by John E. Reid, and became fascinated with the subject matter. For his own senior project he conducted experiments using a lie detector in the Psychology Department. He had several boxes in his Lloyd living room, each of which contained different coins adding up to the sum of fifty cents. He would ask visitors to take the money from one of the boxes while he, Kindig, stepped into another room. Then he told the subject he could keep the money, plus an additional two dollars, if he could fool him and the lie detector.

"I lost a lot of money conducting those experiments," Kindig laughs, "and even got a \$25 grant from the Psychology Department to help cover my losses."

After graduating from Haverford, Kindig went to Chicago to see John E. Reid and got a commitment from him that he would train Kindig after the latter completed his Army service. This is what happened and after his training was over, Reid asked him to stay on with the firm.

Despite, or perhaps because of his association with such a renowned organization, Kindig is an unassuming, even humble man. He admits that he and his associates have made mistakes. And they learn from those mistakes, trying to prevent the same type of error from occurring again. As this article began with a quotation from literature, it can end with one, too, one that perhaps typifies Kindig's approach to his career. From Lord Chesterfield's Letters, Kindig might well say:

"Every man seeks for truth, but God only knows who has found it."



SMALL TOWN LAWYER

by DICK KUBIK, *Director of Information*

For the past four years, Rudolf M. Wertime, '32, has spent more than 200 hours, without remuneration, serving as counsel to prevent the execution in a case where the accused was condemned.

"This case has brought inquiries from far places and has intrigued many of my friends and relatives by the tenacity of our fight to save the accused from almost certain destruction.

"It is one of those community projects in which a small town lawyer is so often involved."

Sitting back in his old-fashioned swivel chair in his Greencastle, Pa., law office, Wertime continues:

"The fact that court decisions have been almost entirely against us has not destroyed our determination to keep up the fight. We are still hopeful of an indefinite reprieve.

"Yes, this 120-year old covered bridge is one of the last of its kind in this area and we'd like to save it."

And so with a slight smile, Rudolf Wertime describes the life of a small town lawyer in the mid-twentieth century.

Nestled in the hills of south-central Pennsylvania, Greencastle provides a base of operations for Lawyer Wertime whose practice extends over a considerable part of Franklin County. His main office is on the first floor of a commercial building in Greencastle. Another office is located in the county seat of Chambersburg, only a short distance from the County Court House. Still another office, used mostly for evening or holiday calls from clients, is located in his home on the outer edge of Greencastle.

Asked if this was a common practice among small-town lawyers—to have several offices—Wertime replied that several attorneys in the county maintained more than one office, as a matter of convenience to their clients and to themselves.

"Shortly before I opened my office in Greencastle in 1939, there had been five full-time lawyers in this community. When I moved here in 1939, there was only one. At present, I am the only lawyer who maintains a full-time office in Greencastle."

Wertime's legal work, as expected, covers a wide range, much wider, probably, than that of a lawyer in a big metropolitan area.

"Although many big city lawyers may have general

"One of those community projects. . ."



practices, most of them are usually specialists in certain fields and I doubt whether many of them have the contacts with and friendships of the numerous people with whom the small town lawyer is constantly in touch," he explains.

"The small town lawyer," Wertime adds, "like the small town doctor, is constantly engaged in a multitude of activities ranging from office conferences, telephone calls, preparation of numerous and sundry legal documents, including wills, deeds, mortgages, promissory notes, leases, agreements, powers of attorney, income tax, personal property tax, inheritance tax and United States estate tax returns, confession of judgment, issuance of execution on judgment and in the realm of Court procedure, petitions, complaints, answers, mechanics liens and attachments, and so forth."

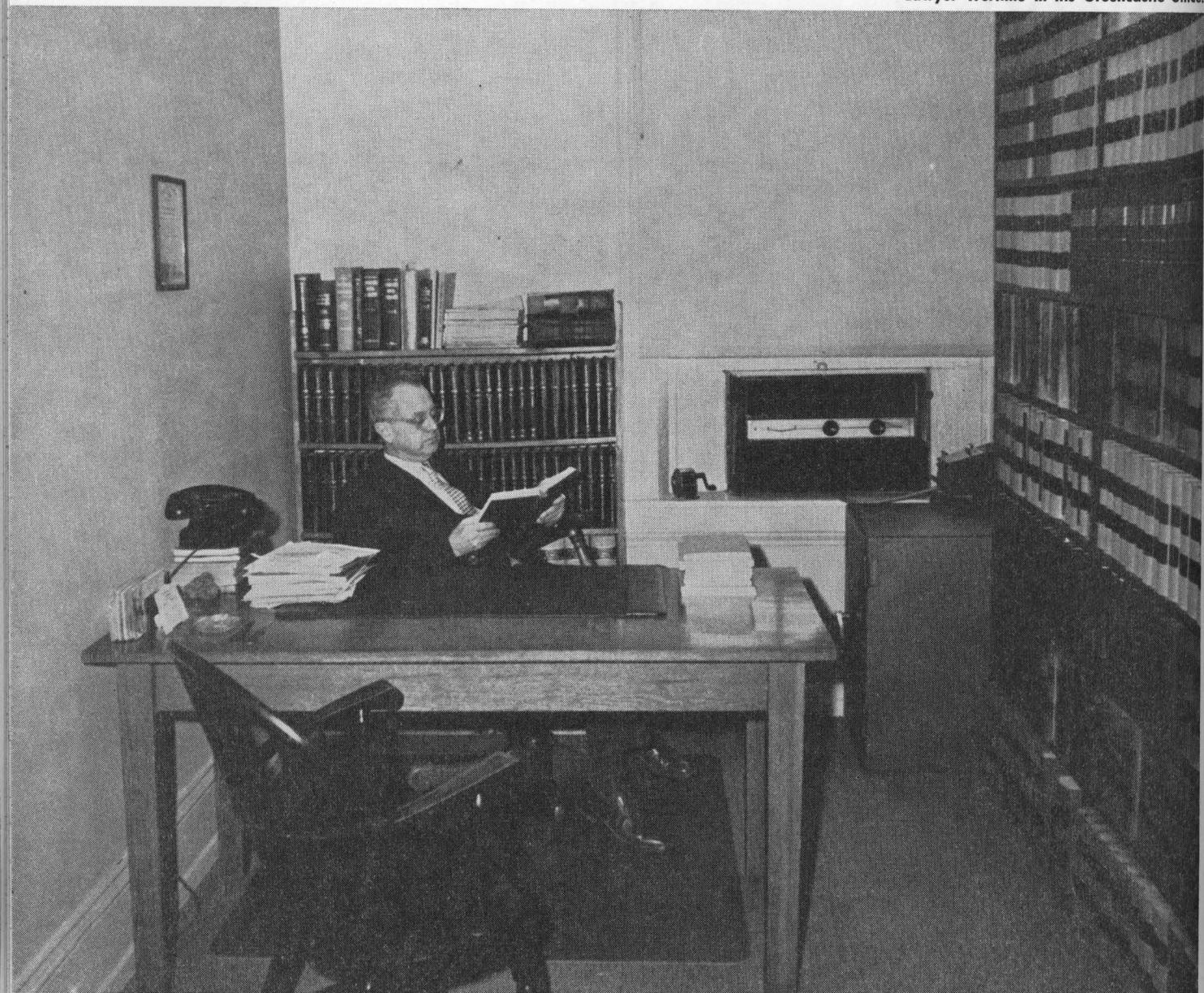
The passing of the horse-and-buggy days has brought about new problems for the small town lawyer. In addition to the civil and criminal actions arising from the misuse of the automobile, Wertime also mentioned the many highway condemnation cases that come up in a small town lawyer's practice.

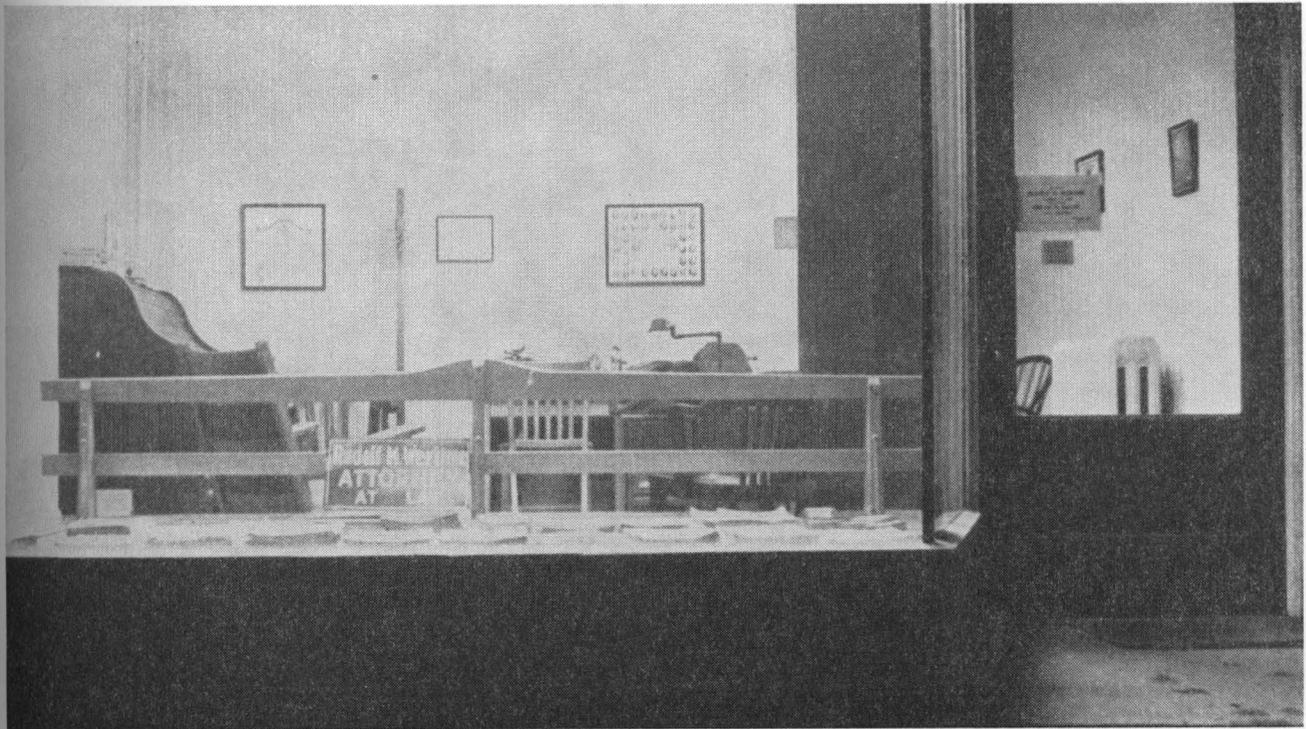
"The small town lawyer now receives many such cases and has as one of his principal duties the protection of property owners against the taking of their land by government without just compensation," he says.

The advent of big government, according to Wertime, has brought on still another new type of practice—that of representing clients in their problems with government agencies.

In addition, since there are no title companies in Franklin County, Lawyer Wertime does a good bit of

Lawyer Wertime in his Greencastle office.





Lawyer Wertime's Greencastle office as viewed from the street.

title searching, "a laborious type of work and very necessary for the protection of those who wish to invest in homes, business properties, or other types of real estate."

Lawyer Wertime is also active in civic affairs. He has served as district chairman and vice chairman of the Boy Scouts of America; director of the Chambersburg Community Chest Campaign and president of its Board; director and campaign chairman for the Red Cross and American Cancer Society; president, director, and general chairman of the Community Concert Association, and many others.

He has also been active in politics, having served as District Attorney in Franklin County for two terms (1948-1956). A number of people suggested that he campaign for a judgeship in 1955 but Wertime did not consider himself sufficiently experienced in the practice of law to campaign for such an office.

"I have had other ventures into politics," he adds, "including considerable involvement in the Young Republican movement of this County in the years before World War II and the veterans' political movement after that war."

Before becoming District Attorney, Wertime was one of several Pennsylvania Young Republicans selected to attend the conference of National Young Republicans in Salt Lake City.

"My interest in politics has continued since leaving the District Attorney's Office as I feel that every citizen should have continuous involvement in politics. I have made speeches for candidates for the State Legislature and other offices and have addressed various political gatherings.

"I also try to find time to check on registrations of

friends and neighbors to make certain that they are registered to vote and to interest people in voting on election day."

Married and the father of five children (the latest, a girl, born as this article was being written), Lawyer Wertime is also active in his church, having served as deacon, elder and Sunday school teacher. He enjoys attending concerts and other musical events and plays the piano. Taking care of his one-acre home lot also helps keep him busy, as does taking care of Hans, the family's large Weimaraner dog.

As he leans back in the swivel chair and contemplates the work on the massive oak table that serves as his desk, Lawyer Wertime thinks about his practice and his life as a small town lawyer.

"Even though the United States has changed considerably in the past 100 years from a rural to an urban society, we have much of the rural atmosphere left in this area in spite of tremendous growth since World War II.

"We still can feel the close relationship with the society of which we are a part."

He goes on, in answer to a question:

"The experiences gained by Abraham Lincoln are still available to us in the rural and small town areas. As he said, a lawyer's stock in trade is his time and advice. This statement is still very much applicable to our situation."

Then he adds in conclusion:

"The rich experience of a rural lawyer in dealing with numerous phases of human relationships enables him to live as a brother to his fellowmen."

Then the small town lawyer smiles and closes his casebook and the interview is over.



BIG CITY LAWYER

The slender buildings of Philadelphia's Penn Center Plaza, visual testimony to the rehabilitation of a once drab center-city, send their smooth sides into the somber sky above. To the east, City Hall forms a boundary; on the south is Market Street. All around are other tall structures and the hustle and steady rumble of a big metropolitan area. Number Three Penn Center Plaza fronts on Market Street and here, on the sixteenth and part of the fifteenth floors, are the offices of one of the Delaware Valley area's largest law firms. Fifteen stories above the street Robert D. Williams, '48, has his office as a partner in the firm.

Stepping off the express elevator that whisks him up to the sixteenth floor, a visitor is impressed by the quiet elegance of the offices. A carpeted floor, brown wood walls, brown and orange modernistic furniture—all these give a feeling of competence. The receptionist in the waiting room gets Williams on the telephone immediately and the visitor is guided down to his office. At the end of the hall, past other offices, the

door to Williams' office stands open and as the visitor enters, Bob stands, grins, thrusts out his hand, and says "Hello. Nice to see you again."

Bob has been with the firm since the fall of 1951, just after he completed his law school studies at Yale. He began his career as an associate and became a partner in 1959. He specializes in business law, the division of the firm he selected after the period of training which the firm affords new associates. An average of four or five lawyers are hired each year, and each spends approximately two years moving among the broad areas of specialization into which the firm divides its work—business, trial, tax and fiduciary. This experience, Bob believes, helps the new lawyer (and not incidentally, his employer) decide in what area his particular talents lie. At the same time it gives him at least a taste of practical exposure in fields other than the one in which his principal effort will later be made.



Bob Williams talks things over with a visitor in his office high above the city streets.

"This is a sophisticated, complex, inter-related world of ours, and it's getting more so every day. Without help from specialists in or out of his firm, it's hard to see how one man can advise clients accurately on such divergent and technical matters as the niceties of anti-trust law, Securities Act problems, foreign licensing, labor relations and the tax aspects of corporate mergers—much less be simultaneously a top-flight estate planner and trial lawyer. Yet many of these

problems are tending more and more to reach down into the lives of all of us."

Bob's work relates principally to matters in the business area, organization of corporations and partnerships, corporate financing, business acquisitions and sales. He does not appear in the courtroom; another division handles that area. Nor does he claim an intimate knowledge of the several thousand sections of the Internal Revenue Law.



Number Three Penn Center Plaza,
with Philadelphia's City Hall
in the background.

"The vital thing is to know enough to sort out the problems, and to recognize those with which you would not be competent to advise without long study and examination. The beauty of firm practice is that you then have immediately available to you men with whom you have worked over many years and who have equipped themselves to answer just the kinds of questions which are presented by your particular case."

At his firm, for example, Bob can call upon the specialized services of lawyers who are devoting their entire career to the study of tax law. Or, while he does do some estate planning for his clients, he can ask for help and advice from experts in the firm's fiduciary division.

The firm employs about 60 lawyers, plus a small battalion of secretaries, clerks, librarians, and other assistants. Scattered about the space occupied on both floors are conference rooms where members of the firm meet with their clients and discuss their problems. A large law library stands at one end of the sixteenth floor; imposing file rooms are found in another area.

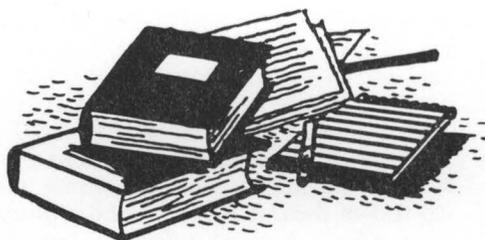
Bob Williams spends most of his working day in his fifteenth floor office. He does do some traveling,

including trips abroad, on business but generally he does his day's labor at his desk, on the telephone talking with clients face-to-face, or reading the massive reports that make up a major part of any lawyer's job. His days usually begin around 8:15 A.M. when he arrives at the office. He stays until around 5:30 P.M. and usually works at least one night per week, staying until nine or ten. During a typical day he will work on six or more separate matters, shifting from one to another in response to changing pressure of deadlines or the summons of the telephone.

There are now seven Haverfordians, including Williams, with the firm. They are: Owen B. Rhoads, '25; William Nelson West, III, '24; Williams; Stephen R. Miller, '49; Arthur W. Leibold, Jr., '53; R. B. Kunkel, '51, and Richard D. Rivers, '55.

The big city lawyer, as exemplified by Bob Williams may be something of a specialist. But he points out that the true function (and thus the joy) of any lawyer is to give sound advice to his clients and sometimes see them accept it. The measure of the joy, it is not always of the fee, is the extent to which he feels he has been useful—whether the problem was large or small, and whether it involved a corporate merger, a marital conflict, a will or a partnership agreement.

PRE-LAW TRAINING AT HAVERFORD



by ALFRED DIAMANT, *Associate Professor of Political Science*

In recent statements the leading law schools in the country as well as the American Bar Association have rejected any form of rigidly prescribed requirements for prelegal education. They have emphasized, instead, a broad liberal education as the best preparation for the legal profession. This stand confirms the conviction of Haverford College and of the faculty that the most suitable preparation for graduate and professional schools "is a liberal education with sound training in basic disciplines."

"Breadth and intellectual maturity," "a discriminating regard for facts," "capacity to make critical judgments as well as basic capacity for inductive and deductive reasoning," and "superior command of the written and spoken word," are terms used by an outstanding law school to characterize the basic qualities to be developed by prelegal education. There is no doubt that Haverford College, as long as it remains committed to liberal education, will continue to provide the most desirable preparation for the law, and the work of the prelegal adviser might well be considered a sinecure—he needs only to reaffirm Haverford's strong commitment to liberal education in order to carry out his task successfully.

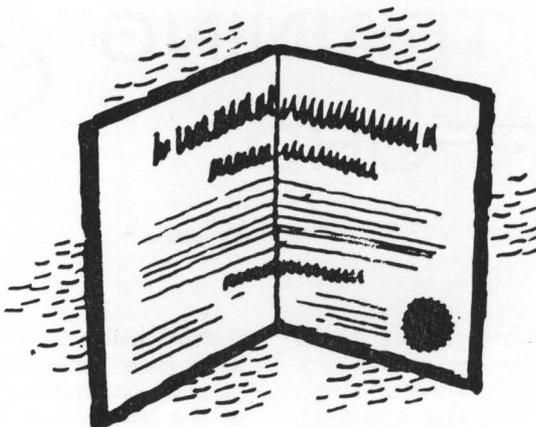
There are many ways in which one could demonstrate the high quality of this preparation at Haverford. One would be the fact that over the years Haverford students have been admitted to all the great law schools in the country. In fact, two major law schools made inquiries at the College recently because they had not received any applications from Haverford men during the preceding years. Their high regard for the quality of Haverford education caused them to make a special effort to encourage applications from Haverford students.

The quality of prelegal education is also reflected in the performance by Haverford students in the Law School Admission Test. This is a standardized test developed by Educational Testing Service in cooperation with a group of prominent American law schools, which attempts to predict academic success in legal studies; most accredited law schools now require this test for admission. During a recent administration of the test, of the 13 Haverford students who took the test eight (or 60%) placed within the top 13% of all students who have taken the Law School Admission Test since its inception. These 13 students were majors in a wide variety of fields, including political

science, history, economics, English, and mathematics. Thus their performance only serves to underscore the genuine commitment to liberal education on the part of the law schools who sponsored and who continue to support the Law School Admission Test, and who accept its validity as an indicator of likely success in legal studies. Because the test sought to probe for qualities and skills which result from a liberal education Haverford students performed well in the Test. But the Test is only one element in the decision law schools make about individual applicants. Academic performance and the law school's estimate of the quality of the college the student has attended remain the major factors in the final admission decision. During the past years the prelegal adviser has been assured repeatedly of the high regard law schools have for the quality of a Haverford education.

The high standards of the academic preparation are thus the principal element in Haverford's successful program of prelegal education; all other elements of this program are merely subsidiary. The name of the prelegal adviser is listed in the college catalog and students are encouraged to consult him by their advisers. In these conferences the prelegal adviser always stresses the need for a broad liberal education but also suggests a range of courses which he considers especially helpful for prelegal preparation. When seniors take the Law School Admission Test the prelegal adviser receives a transcript of their scores from Educational Testing Service. He then invites these seniors for a conference to help them interpret the scores and consider the law schools to which they might wish to apply for admission. The prelegal adviser also arranges campus visits of law school representatives, either law school faculty and admissions officers, or members of law school alumni associations. For a number of years Haverford College has conducted campus-wide career conference days to acquaint students with the nature and prospect of a number of careers, professions, etc. The 1960 career conference was devoted entirely to the legal profession.

In these and other ways Haverford College has sought to supplement the academic program for those who are planning to go to law school and pursue a career in the law. This issue of HAVERFORD HORIZONS bears testimony to the success of this enterprise.



HOW TO SUCCEED IN LAW TEACHING WITHOUT REALLY THINKING

by FRED RODELL, '26
Professor of Law, Yale University

My hunch is that, when HAVERFORD HORIZONS asked me to write a piece on the teaching of law, the hope was that I would stretch into a thousand words or so that trite and pretentious old chestnut about "a challenging and rewarding career." Sorry, fellows. If law teaching, as generally carried on, were hard and fun, I should say it precisely this way. But I'm afraid I cannot see how law teaching, as most of the profession's practicing pedagogues perform it, can be challenging or rewarding or hard or fun for anybody. Me, I should find it ineffably easy and unutterably dull—although I grant that law teaching, as I've tried to do it in my own maverick manner for nigh onto

thirty years, is indeed hard and fun for me.

Perhaps this calls for a brief personal take-out—partly perforce about me but mainly about the law teachers I know, and I know plenty. Among the more printable of the many epithets that have been tossed at me, some privately, some publicly, by my brothers in Blackstone, over the years, is "the stormy petrel of U.S. legal education." In part this is due to my attitude toward law; in part it is due to my attitude toward life. And so I cannot refrain from pointing out that no ornithologist knows any such bird as a "stormy petrel" any more than he knows another common misnomer, the "wild canary"; there are

storm petrels and there are goldfinches. Nor have I slipped my trolley. The point is that law professors, as a lot, will have no truck with such frivolous extra-curricular foibles as bird-watching or trout-fishing or dog-breeding or a hundred other happy pursuits which might broaden their lives and their outlooks a little and even take some of their teaching out of its narrow law-book-bounded niche. I have seen these learned legalists backing lovely ladies into corners at cocktail parties and plying them with all the pedestrian particulars of the latest case; not me. I have heard the conversation of my colleagues—at coffee-breaks, at lunch, at dinner, and way into the wee unworking hours—confined to the law and its prophets and profits; not mine. The law may be a jealous mistress to a lawyer; of a law professor she rarely has reason to be jealous; night and day, at work and pseudo-play, she is almost the whole of his monomaniacal life.

And why not, you ask. Doesn't this prove, indeed, that law teaching is challenging (hard) and presumably, to its so dauntlessly dedicated devotees, rewarding (fun)? The answer—which is briefly No, and which may make clear why my peers rate me a maverick—will take up most of the rest of this screed; it cannot be laid out lightly. Let me set the stage for the tougher stuff with a metaphor borrowed from baseball. The old pros, talking of a player's fielding ability, will often describe a crowd-pleaser—Jimmy Piersall, for instance—as a guy who makes the easy ones look hard. But the untheatrical and better ball-player, like Richie Ashburn or Joe DiMaggio, is the guy who makes the hard ones look easy. My aim in teaching—and it is not for me to say how badly or well I do it—has always been to make the hard ones look easy, DiMaggio style. Yet it is almost an occupational disease of the regular run of law professors to try to impress the pants off students and fellow professors alike by making the easy ones look hard.

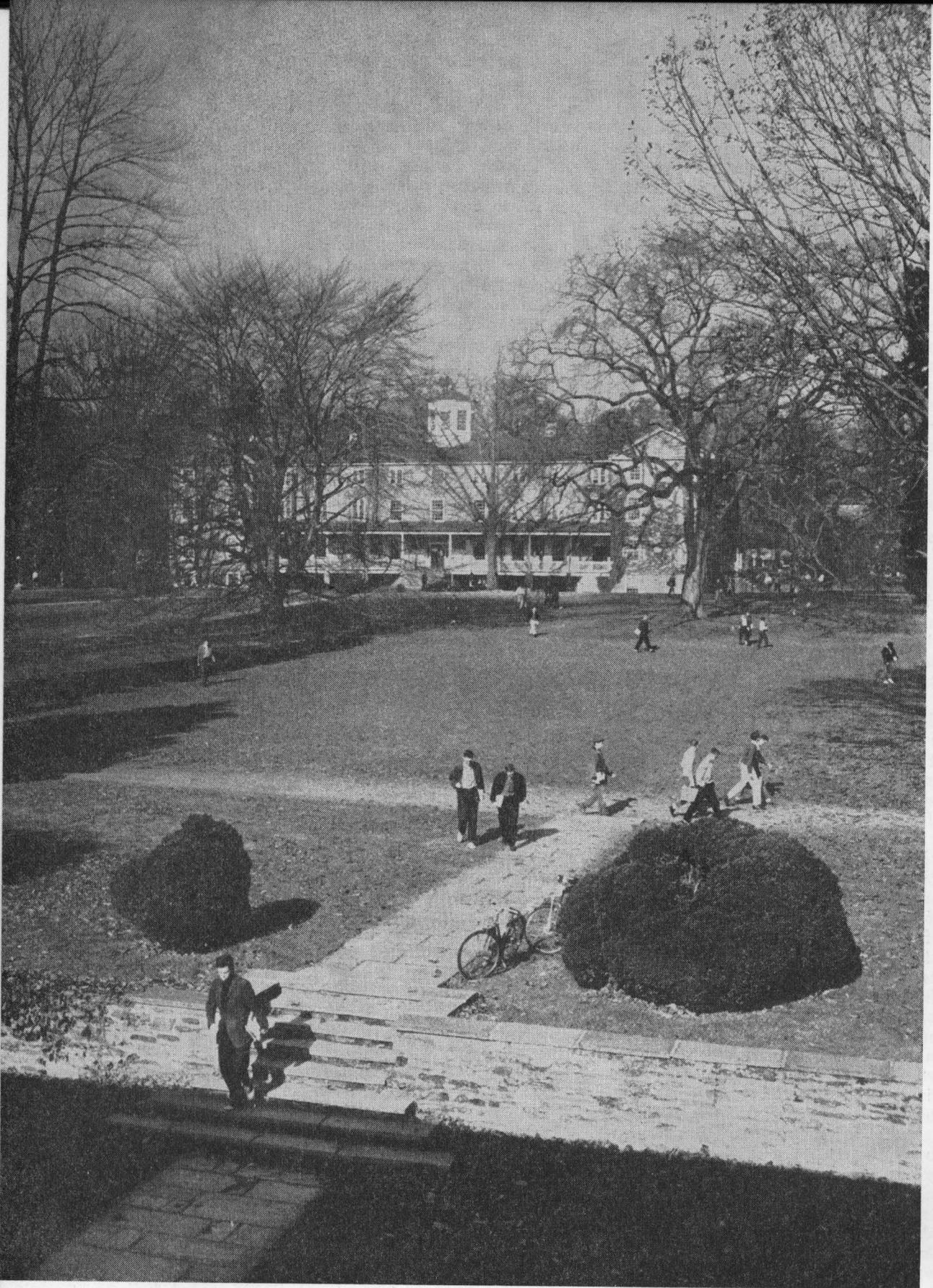
What then are the easy ones, as I see them, in law teaching? They are the whole conglomeration of cases and concepts, of principles and precedents, that make up the bulk of every conventional course of law study and law instruction. They are what our fledgling legal eagles call black-letter law—a big body of rules in more than a score of different fields, ranging from contracts and corporations to torts and taxation and trusts (and anti-trust)—rules to be scribbled down fast from lectures, or else looked up in the library, and *learned*. Despite an occasional once-over-lightly of questions about cases or analyses of rules, an authoritarian air inevitably enfolds this orthodox approach to legal learning—with its premium on memory, its closed-book exams, and its high marks going to gooks and grinds who can rattle off best by rote and number each separate section of the Bankruptcy Act or the Internal Revenue Code. Easy, did I say? Well, what could be easier for any teacher of law—or logic or Latin—than to follow his old and faithful outline, slightly amended annually to bring it up to date? And what could be more parlor-trick impressive, in class or kaffee-klatsch, than to casually cite a string of cases which the professor, since he carefully converses of only his own specialty, could probably

run through just as readily in his sleep? Teaching law by telling students what the law *is*, whether by question-and-answer or straight lecture, needs no real thinking on the part of professor, or of student either. And yet, calamitously, that is the way most courses in most U. S. law schools are taught today.

For my maverick money, there is scarcely anything in all of the law worth learning by heart. Except when he has to go into one of those cram-it-in-fast-to-forget-it-faster trances, in order to pass tomorrow a typical law school exam, a man would far better spend his time memorizing Shakespeare—or the nineteenth century English poets, as Haverford's Ned Snyder once got me to do, to my everlasting gratitude. The thing to learn about law is not to recite it on call but to *understand* it—to be able to analyze the hard facts and the real reasons beneath the verbal gloss that overlays every court opinion and every legal rule—and then apply that understanding to problems old and new. Granted that, simply to save time, two things should be learned first:—one is a working familiarity with the foreign language of law, the ugly legal-dy-gook of “incorporeal hereditaments” and similar semantic atrocities; the other is where to find what you want in a law library. But as the late Judge Jerome Frank used to insist, any non-moron can, and does, pick up those two rather petty skills in one term at law school; why subject him to five more tiresome terms and twenty-five more courses in the kind of word-learning he now could acquire for himself? What he maybe could not acquire unaided is a feel for the myriad extra-legal factors—political, personal, psychological, social, economic, unclassifiable—that make the law move, that make it tick, for all its alleged reliance on old authority. The hard-and-fun way to teach law—the way that makes sense to me—is not the authoritarian way of accept, accept, accept, and don't ask too searching questions. It is rather to run a wide-open workshop where students and teacher join in the unspectacular thinking of problems down to their roots—instead of mouthing, as though it were magic, the mumbo-jumbo of mossy legal rules.

A long while back, I wrote a note to Christopher Morley, chiding him for using again, in a trivial novel, a charming literary conceit out of his great poem, “Toulemonde.” His pleased reply conceded that “to plagiarize one's self is far worse than to plagiarize a foreigner.” To quote one's self is, I guess, worse still; but I do not know how to say differently what I said some years ago about the teaching of law, as I saw it then and see it now.

With apologies, then, to the shade of Christopher Morley: “Isn't there somewhere an underlying conflict between the very idea of intellectual authority, with its overtones of obeisance to the thoughts of others, and the ideal of intellectual freedom which can only be sparked to life by the show-me spirit of unaccepting inquiry and fanned into flame by the encouragement of independent thinking? . . . For any fool can learn to use a law library—to look up rules and cases when he needs them. In my simple way, I should have supposed that the chief aim of legal, or pre-legal, education would be to help men learn how to use their own minds.”



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