Foreign Law at Chicago

The University of Chicago Law School serves both as a center for study of American law by foreign lawyers, and, through its Foreign Law Program, as a major stimulus to the study of the civil law by American lawyers. In the prospectus describing the Foreign Law Program, Professor Max Rheinstein wrote:

To meet the growing demand for American lawyers who understand the legal system of Civil Law Countries, the University of Chicago Law School has initiated a Foreign Law Program. This program is designed to train graduates of American law schools for effective work in the legal system of a Civil Law country and thus to facilitate the conduct of American legal business abroad and to enrich the student's understanding of his own system in his work either as a practitioner or as a teacher.

During the first year, a major portion of the student's working time will be spent in intensive and systematic study of the private law of France or Germany. The French or German system has been the model for the legal systems of Belgium, the Netherlands, Italy, Portugal, Spain and Latin America, of Austria, Switzerland, Japan and Turkey. Moreover, study of either system facilitates an approach to the private law systems of the Nordic countries and the majority of the countries of Eastern Europe, Southeast Asia and the Arab world. In any given year one or the other of the two parent systems will be emphasized.

The work of the second year will be carried on in the foreign country for which the student has been prepared. Before the student goes abroad, arrangements will have been made for his continued guidance and supervision by a qualified adviser in the country chosen. The adviser, in cooperation with The University of Chicago Law School, will prepare for the student an appropriate plan of studies, will supervise his work, and will be available through the year for consultation and advice. In suitable cases, provision may be made for practical training in a law office, a government agency, or a business firm.

Five young graduates of the School, all of whom received the J.D. in June, 1962, spent the academic year 1962-63 at the Law School studying French law. They are now completing the program with a year of work abroad. David P. Earle III and Harold S. Russell are at the University of Paris; Bruce D. Campbell and Robert Starr are at the University of Aix-en-Provence; and Michael J. Kindred is a student at the University of Grenoble.

During the current academic year, five more students will begin the program with the study of German law at the Law School. They are Tipton Blish, J.D., University of Chicago Law School, 1963; George P. Fletcher, J.D., University of Chicago Law School, 1963; Robert J. Marousek, J.D., Northwestern University, 1958; Walker D. Miller, LL.B., University of Colorado, 1963, and John G. Roach, LL.B., Washington University, 1963.

As mentioned earlier, many foreign lawyers come to the Law School for study of the American system. During the current quarter, the following are registered:

Mihajlo M. Acaimovic, Yugoslavia; Michael O. Adeganya, Nigeria; Mahdi M. Ahmed, The Sudan; Artemio C. Baxa, Philippines; Anne-Marie Bech, France; Jacob Fajgenbaum, Australia; Heinz Hausheer, Switzerland; Martin Hitz, Switzerland; Mechthild Immenkotter, West Germany; Zensuke Ishimura, Japan; Hudson Jannisch, South Africa; Michael Landgraff, France; Jan Marwede, West Germany; Calliope Nomikou, Greece; Kwame Opoku, Ghana; Robert P. Pace, South Africa; Hans P. Peyer, Switzerland; Salomone Piccotto, England; David D. Prentice, Northern Ireland; Risto J. Seppalainen, Finland; Kurt A. Schaffrath, West Germany; Jurg Schneegiesberg, West Germany; Heikki Simola, Finland; Armin Strub, West Germany; and Tiziano Treu, Italy.

Poverty and Criminal Justice

More than two years ago, Professor Francis A. Allen was appointed Chairman of the Attorney General's Committee on Poverty and the Administration of Criminal Justice. The report of that Committee, submitted in February of this year, states: "The mandate given the committee was a broad one. The committee was instructed to study the system of federal criminal justice with the purpose of identifying problems faced by persons of limited means charged with federal crimes and problems created for the system of federal justice by the presence of such persons in its courts. The Committee was also asked to present to the Department of Justice a series of recommendations for the solution or amelioration of problems so identified."

Other members of the Committee were John Bodner, Jr., of the Washington firm of Howrey, Simon, Baker and Murchison. Mr. Bodner was a Bigelow Teaching Fellow at the Law School in 1953-54; Joseph Goldstein, Professor of Law at Yale; John F. Grady, of Snyder, Clarke, Dalziel, Holmquist and Johnson, Waukegan, Illinois; the Honorable Walter E. Hoffman, U.S. District Judge for the Eastern District of Virginia; James M. Marsh, of LaBrum and Doak, Philadelphia; George Nye, of the California Bar; Herbert Packer, Professor of Law at Stanford; and the Honorable Walter V. Schaefter, Justice of the Supreme Court of Illinois and a graduate of the Law School who is currently serving as Chairman of its Visiting Committee.

The report of the Committee grouped its extensive investigations under the three major headings of (1) The Provision of "Adequate Representation," (2) Bail and Pre-Trial Release, and (3) Access to Appellate Review.

A major result of the work of the Committee has been the Criminal Justice Act of 1963. This bill, drafted in cooperation with the Department of Justice, embodies the principal recommendations of the Committee with respect to the problem of adequate representation. At this writing, the bill has been passed by the Senate and is awaiting action in the House of Representatives. Substantial changes in the internal administration of the Department of Justice have come about as a result of the Committee's recommendations, and further action in the bail and pre-trial release area is expected.