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West Virginia Bar Association--The Report of the Committee on Legal Education

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zations but one dealing with concrete proposals. The QUARTERLY particularly wishes to comment and call attention to the ex-President's ideas on the possibilities which co-operation between the Law School and the Bar Association offers in developing legal problems and the legal aspects of industrial problems in West Virginia.

WEST VIRGINIA BAR ASSOCIATION—THE REPORT OF THE COMMITTEE ON LEGAL EDUCATION.—The Committee on Legal Education is to be congratulated on their comprehensive report which shows that they have diagnosed the needs of the law school with considerable care. The administration of the College of Law is in full accord with the recommendations reached by this Committee. The report was adopted by the Bar Association as its policy toward the law school.

Space forbids the publication of the entire report but we believe that the sections dealing with research by the law school are of sufficient general interest to be published in the LAW QUARTERLY.

This part of the report reads as follows:

“4. *Annual Appropriations to Keep up Library:* This is the minimum amount believed to be necessary to keep up the various reporter systems, law journals, digests, standard texts, books, statutes, etc.

“5. *Research Work:* When Mr. Turner assumed the presidency of the University on July 1st of this year, he immediately formulated the plan of having extensive research work done by qualified members of the faculty in all departments of the University. This plan included research work in chemistry, geology, coal, oil and gas, legal problems, etc.

“At the suggestion of Dean Arnold, with the approval of President Turner, the Board of Governors of the University authorized the employment, during the past summer, of two professors of the College of Law, making special investigation of assigned subjects. This particular research work consisted of the annotation of the re-statement of the Law of Agency by the American Law Institute as applied to West Virginia, by Mr. Thomas P. Hardman, and a similar annotation of the Conflict of Laws by Mr. E. C. Dickinson, both members of the law faculty.

“President Turner, Dean Arnold and the members of the law faculty feel that the most useful function of the College of Law at West Virginia can perform is to make available the work of

legal scholars for the use of the bench and bar in West Virginia in solving legal problems and the legal aspects of industrial and economic problems. Following that idea a definite plan of research is being formulated at the Law School, of which little has as yet been carried into effect. The plan is as follows:

“(1) That selected members of the law faculty should devote their time in the summer to the study of important state legal problems, for which they will be paid additional compensation. Since professors in the law school are paid for only ten months of service this plan of paying additional compensation to the persons to whom research work is assigned will make it possible to increase the attractiveness of positions on the faculty and at the same time produce work of direct benefit to bar and bench of the State.

“(2) The particular legal problems on which research will be done are to be approved by the Executive Council of the Bar Association. This is done so that there will be some connection between the Bar Association and the Law School and so that the practical experience of the Bar Association in determining the most important problems to be studied may be available to the law faculty.

“The only research work which has been done up to the present is work on the annotation of the re-statement by the American Law Institute, above mentioned, by Mr. Hardman and Mr. Dickinson of the law faculty. This work has been very thoroughly done, although it is not yet a finished state where it can be presented. The idea behind it is to make the re-statement an authority available to West Virginia lawyers and courts. It is a task of some magnitude.

“In connection with this work it is suggested that a committee be appointed to decide on the best method of getting the results of this work before the West Virginia bar.

“Other projected fields of research of importance to West Virginia are as follows:

“(1) Coal rates in the Lake Cargo Rate Case. Work is being done on this subject by Mr. Arnold.

“(2) Work on legislation regulating the available water power in West Virginia. This work will be undertaken by Mr. Simonton.

“(3) Research work on taxation in the state of West Virginia. Mr. Hardman contemplates the study of this question.

“Still other questions on which study is contemplated are, investigation of the public utilities laws of West Virginia; investi-

gation of the law of oil and gas, and investigation of whether the present available legal remedies are sufficient in the conduct of co-operative marketing associations among farmers of West Virginia.

"It is hoped that such work carried on by the Law School will have a double purpose. First, in its possible influence on the legal, economic and industrial development of the state, and second, the stimulating effect it will have on the faculty in keeping them abreast of practical legal problems. There will also be opportunity for students of high quality to do work on these problems, and it is hoped that this will create an atmosphere at the Law School not unlike the atmosphere in a law office where work on particular legal problems is being done. Its tendency should be to break the entirely theoretical train of thought which comes from a too close application to general principles and theory on the part of students.

"The appropriations here suggested will enable four professors to engage in research during the summers covered by the next biennial appropriation."

THE EFFECT OF "ATMOSPHERE" UPON DECISIONS.—Every year thousands of law students in and out of the classroom are engaged in deciding cases involving those perpetual litigants A, B, C, and their brothers. Much as the medical student acquires a knowledge of surgery by dissecting the cadavers of the medical laboratory, our future lawyers are preparing for their task in a realm apart from the struggles, hopes, fears, and occasional hatreds and heartaches that cluster about the actual work of the courts. Where fortunes may depend upon the outcome of a case, where human destinies may be determined by the stroke of a judge's pen, where legal problems are living problems, there may be elements which make the approach to their solution somewhat different from the one where only A and B are concerned.

The question arises as to whether the ideal toward which our profession should strive is to carry to the courtroom the detachment of the law school classroom. Of course, we know that that ideal, if such it is, is not even approximately attained. Every lawyer is aware of the fact that the courtroom is not a cold impersonal place. There is bound to be an atmosphere. Many of our rules of evidence are designed to reduce this atmosphere to a minimum, but it cannot be suppressed. The jury is especially susceptible to it. It is a commonplace that verdicts are not the result of a calm and deliberate attempt merely to weigh the evi-