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Are You Afraid to Go to Court

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speaker also reminded the law students that the business man is now more than ever before dependent upon the skill of his personal legal adviser, and the lawyer's livelihood depends upon the confidence and respect of his business friends. He pointed out that fairness to a client can go no further than a presentation of the facts in a case as they are; to do more is to betray the profession. After his address Mr. O'Meara introduced his classmate, Mr. Clement C. Mitchell, a member of the University Board of Lay Trustees.

Through the efforts of Dean Konop and Joseph Deeb, President of the Law Club, on December 17, Mr. Aaron Huguenard, practicing attorney of South Bend, lectured to members of the Senior class. Mr. Huguenard, in a very interesting manner, discussed valuable and instructive points essential to the organization of a corporation. The lecture was informal, Mr. Huguenard answering questions presented by the members of the Senior class. This proved to be very effective in clarifying perplexities which arise in the course of the organization of a "body politic." He also treated the importance of making stocks and bonds attractive to prospective buyers, and the various means employed to achieve this end.

Another important help to the Seniors has been rendered by Dean Konop in the senior seminar. He has been constantly generous and helpful with constructive suggestions as to preparations for bar examinations and practice. A conscious effort is being made in the Tuesday morning seminar to minimize the gap between theory and practice.

Daniel C. Lencioni.

ARE YOU AFRAID TO GO TO COURT?

The trepidation which some, or as the author says, most people feel when they are made defendants in a law suit, is the subject of an article published in the January issue of "The Rotarian" by an un-named trial lawyer. The author discloses that this fear of a suit is even common to lawyers when they become one of the parties to a lawsuit. The account of his own experience as defendant in a suit brings out facts which must be experienced by most people who are parties to litigation.

It is stated that "the average person when subjected to examination and cross-examination is antagonistic and resentful." To remedy this feeling of resentment that a witness feels for the examining attorney, the author lists a number of rules for the benefit of witnesses; these rules being set out in a series of "Don'ts." This advice contains some

general rules of evidence and procedure which those connected with the practice of law will recognize as basic principles of trial practice and legal ethics.

To those unaccustomed to the domain of judges and lawyers, a court seems to be a strange, unpleasant, and awful place. As the author states, the average person would change his idea of a court of law if he only understood the real function of the courts. Instruction of the public in legal aims and procedure would probably dispel all the false ideas of the courts which the average person has.

As to how this enlightening is to be accomplished, the general public is advised to familiarize themselves with law and its intricacies by visiting courts while they are in session. By witnessing the trial of a lawsuit, a person in a neutral position would get an idea of how necessary all the "mysterious" steps in a trial are for the administration of justice. He would see that although a litigant himself knows that he is right, he must prove it to the judge or jury.

Familiarity with legal procedure and some of the general rules of evidence would save much valuable time spent during a trial trying to bring out certain facts. If the witness realized how the examining attorney must bring out the facts and that all the witness has to do is tell the truth, much of the fear of lawsuits would disappear. A little knowledge of how a trial is conducted would apprise the average person of the fact that as a witness, he must state facts and not opinions; that he should not argue with the examiner; that he should not answer an unfair question with "yes" or "no"; that he should think of the question before he answers; that he must always tell the truth.

An article on lawsuits, such as the one mentioned above, can do much towards enlightening the average person so that he will lose his trepidation on getting a summons to appear in court. Most people now realize that honest differences will arise in dealings with their fellow men, and the only way to finally settle these differences is in a lawsuit. The witness should feel that the aim of the courts is to promote justice and not to awe or confuse the people for whom the courts exist. With this in mind, an honest and innocent person need have no fear of a summons to court.

Thomas E. Coughlan.