POPULAR GOVERNMENT

APRIL, 1967

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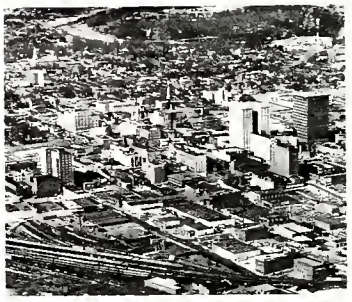
In This Issue:



This month's cover honors Greensboro, recently chosen one of ten All-America cities by Look *Magazine. See page 6 for the story.*

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Contents

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North Carolina's New Court of Appeals

by C. E. Hinsdale

[*Editor's Note: On March 29 the 1967 General Assembly passed legislation effecting the constitutional change approved by the voters in 1965 which incorporated a Court of Appeals in the North Carolina judicial system. The substance of the legislation had been the work of the Courts Commission, with which the author of this article, a member of the Institute staff, has sat in an advisory capacity since its creation in 1963. Here he reports on the essentials of the new Court of Appeals.*]

The new Judicial Article of the State Constitution (Article IV), adopted by the people in November, 1962, authorized the establishment over a period of several years of a unified, statewide General Court of Justice, consisting of three divisions: the Appellate (Supreme Court), the Superior Court (general trial jurisdiction), and the District Court (limited trial jurisdiction). The General Assembly of 1963 created the 15-member Courts Commission, and charged it with responsibility for "drafting the legislation necessary for the full and complete implementation of Article IV of the Constitution." The Commission made its initial recommendations to the 1965 General Assembly. The recommendations, calling in detail for the activation of the District Court Division of the General Court of Justice, were adopted by the General Assembly in the Judicial Department Act of 1965, with only one change of significance to this discussion. The Commission had proposed certain limits on the right of appeal to the Supreme Court from a decision of a superior court judge entered in a civil appeal from the district court. Adhering to the North Carolina tradition of an unrestricted right of appeal to the Supreme Court, the General Assembly disapproved this proposal.

Elimination of the proposal to make the superior court the court of last resort in certain district court civil cases meant that further attention had to be given to the crisis posed by the Supreme Court's growing case load. Our highest court had in recent years become one of the busiest in the entire country, being confronted with a deluge of customary business plus a mushrooming number of post-conviction appeals based on constitutional issues emanating from recent U. S. Supreme Court decisions. Relief was necessary, or the administration of justice would eventually suffer. The solution proposed by the 1965 General Assembly was a recommendation to amend the Constitution to authorize the creation within the Appellate Division of the General Court of Justice of an intermediate Court of Appeals, which would relieve the pressure on the Supreme Court by sharing the appellate case load. The people overwhelmingly approved this recommendation in the election of November, 1965, and it then became the duty of the Courts Commission to draft the legislation necessary to create such a court. The Commission concentrated several months of study on solving the organizational, jurisdictional, and procedural problems such a court would raise. When the 1967 General Assembly convened in February, the Commission was ready with SB 42 (HB 87), the Court of Appeals Bill. After a month of committee hearings, and only one or two changes of substance, SB 42 was ratified on March 29, 1967. North Carolina thus joined 17 other states which found it necessary to adopt bi-level appellate court systems.

Creation and Organization

The Constitution provides that the Court of Appeals shall consist of at least five judges, elected by the qualified voters of the State for terms of eight years, the same as members of the Supreme Court. The Chief Justice of the Supreme Court designates one of the judges as Chief Judge. The judges are authorized to sit in panels, or divisions, as is usual with courts of this type.

The Court of Appeals Act provides for a total of nine judges. The Court will sit in panels of three, a quorum for the transaction of regular appellate business. Members will be assigned by the Chief Judge to panels in such fashion that each member will sit, as near as may be, an equal number of times with each other member. This is intended to circumvent the growth of bodies of case law identified with panels of fixed membership. The panels will sit initially only in Raleigh, but, as the need is demonstrated and facilities become available, may be authorized by the Supreme Court to sit in other places within the State. There is no provision for seasonal "terms" of court, or for docketing or hearing of arguments by geographic areas; the Chief Judge schedules sessions of court as required, and cases presumably will be argued by whichever panel is available in the order in which the cases become ready, although for the convenience of litigants this could be varied by rule of court.

The Courts Commission deemed it inadvisable to have all nine judges of the court elected (or defeated) in the same year, and hence recommended "staggering" of the terms of the judges, so that six would be elected in one year, and three a biennium later. While a three-phase system of staggering would have been even more desirable, the overriding need of the Supreme Court for relief at the earliest possible time dictated that at least six judges (two panels) become operational as soon as possible. Hence the legislation provides for the creation of six judgeships as of January 1, 1967 (this being the date that Supreme Court justices take office). The Governor, on or after July 1, 1967, will appoint six judges to fill these first six judgeships temporarily, until the general election of 1968, at which time judges will be elected for the remaining six years of the eight-year term. The remaining three judgeships are created effective January 1, 1969. The Governor, on or after March 1, 1969, will appoint three judges to fill these three judgeships temporarily, until the general election of 1970, at which time three judges will be elected for the remaining six years of the eight-year term. Thereafter, all judges will be elected, six in 1974 and three in 1976, and so on, for regular eight-year terms.

On or after July 1, 1967, as soon as five judges have been appointed and the Chief Justice has designated a Chief Judge, the Court of Appeals is directed to convene, organize, and promulgate, subject to the approval of the Supreme Court (which, under the Constitution, has rule-making power for the Appellate Division), such supplementary rules as it deems necessary and appropriate for the discharge of the judicial business lawfully assigned to it. No arguments may be heard, however, until October 1, 1967.

The salary of each judge of the Court of Appeals will be specified in the Biennial Appropriations Act. It is likely that this figure will be fixed in the neighborhood of $23,000, with the Chief Judge receiving $500 or $1,000 additional.

The Court of Appeals is authorized to appoint a clerk, to serve at its pleasure. The clerk's fee bill will be fixed by the Court of Appeals, subject to the approval of the Supreme Court. Charges to litigants for the reproduction of appellate records and briefs will be fixed and administered as provided by rule of the Supreme Court, presumably in accordance with the arrangement now followed with respect to appeals in the latter court. The opinions of the Court will be reported by the Appellate Division (formerly Supreme Court) reporter, and issued in advance sheets and bound volumes, similar to but separate from Supreme Court reports. The Court will use the Supreme Court library.

Jurisdiction

The jurisdiction of the Appellate Division—that is, the Court of Appeals *and* the Supreme Court—is schematically illustrated in the chart accompanying this discussion (p. 4). Of course any statute purporting to assign appellate jurisdiction to the Court of Appeals necessarily affects the jurisdiction of the Supreme Court. All statutes dealing with the appellate jurisdiction of the Supreme Court therefore had to be rewritten. Since the jurisdiction of each court can be described only with reference to the jurisdiction of the other, it is perhaps more helpful to refer to the jurisdiction of the *Appellate Division*, a single over-all, interrelated arrangement. No effort will be made here, however, to describe in technical lawyerlike detail every facet of this arrangement. Practicing attorneys will want to examine the actual wording of the law. Others, to whom this article is primarily directed, will be more interested in the basic principles which underlie the jurisdictional allocation. As outlined in the Report of the Courts Commission to the 1967 General Assembly, these are:

- An accused is entitled to one trial on the merits and one appeal on the law, as of right, in every case. From this it naturally follows that double appeals, as of right, are to be avoided, except in the most unusual cases, the importance of which can be said to justify a second review.

- The Supreme Court must remain the court entrusted with the final decision on all truly important questions of law. Again, it follows that certain questions of law—those clearly not involving questions of jurisprudence of interest to the State as a whole, or those including routine determinations of interest only to the litigants involved—must be left to final resolution in the Court of Appeals. (This, after all, is the chief reason for creating a second appellate court.)

- A strictly limited category of "important" cases—capital cases and cases involving constitutional interpretations, for example—should have access to the Supreme Court as of right. Otherwise, discretion should be vested in the Supreme Court to categorize the "importance" of a case and hence its appellate routing, subject always to the Court's discretionary review power to prevent obvious injustice. By this allocation of appellate functions the Supreme Court should become free to devote all of its time and energies to the development of those matters of law of major significance to the State as a whole.

- Subject to the controlling principle that matters of major significance should always have access to the highest court, a fair and equitable division of labor must be maintained between the two appellate courts, to the end that all cases on appeal are settled

without unnecessary delay. To achieve this, rigid jurisdictional allocations of cases between appellate courts is to be avoided, some authority being vested in the highest court to adjust case loads equitably by exercising its discretion.

• Appellate procedure should be simple, inexpensive, and designed to hear and decide cases generally on a "first come, first served" basis.

Consistent with these broad principles, the new appellate jurisdictional plan provides that all cases, except capital and life imprisonment cases, are appealed to the Court of Appeals. At this point, the Supreme Court has the opportunity, if it considers that the case possesses the attributes of general jurisprudential significance detailed in the statute, to "certify" the case for initial consideration by itself, bypassing the Court of Appeals. This should occur only in a minority of instances. *After* the case has been heard and decided by the Court of Appeals, the Supreme Court again has this opportunity, and for substantially the same reasons. In addition, if the case as decided by the Court of Appeals involves a constitutional issue, or is a Utilities Commission general rate-making case, or was decided by a split Court of Appeals, the Supreme Court *must* accord the case a second appellate hearing.

For a few special situations not covered by this basic scheme, special rules apply. Appeals from administrative agencies, other than the Utilities Commission and the Industrial Commission, enter the General Court of Justice at the superior court level, as before. Utilities Commission and Industrial Commission cases enter the General Court of Justice at the Court of Appeals level, where they must be heard before an appeal lies to the Supreme Court (State ex rel. Utilities Commission v. Finishing Plant, 264 N. C. 416 (1965). Interlocutory orders of the trial courts are reviewable, to the same extent as at present, by the Court of Appeals, the language of G.S. 1-277 having been brought forward to accomplish this. The power to issue writs of habeas corpus and the prerogative writs is accorded to both appellate courts. Post-conviction hearing appeals go by writ of certiorari to the Court of Appeals, and no further.

Appellate Practice

The Constitution provides that the Supreme Court shall have exclusive authority to make rules of procedure and practice for the *Appellate Division*. Accordingly, the Court of Appeals Act is silent on this subject. The present rules of the Supreme Court, written for a one-level appellate division, are not adequate for a two-level division or for the jurisdictional arrangement of case loads between the two levels described earlier. The Supreme Court must draft new rules of procedure and practice and promulgate them to bench and bar prior to October 1, 1967. The present statutory rules (G.S. 7A-28S) governing appeals in civil cases from the district court to the superior court will become inapplicable (except for cases in mid-appeal) on that date, but the Supreme Court, if it sees fit, is free to adopt these rules, or portions of them, for application to civil cases appealed from both trial courts to the Court of Appeals. One of the major issues for the Supreme Court to decide is whether to adhere to longstanding custom which requires rendition of the evidence in narrative form, or to authorize, by rule, submission of the pertinent portion of the evidence in question-and-answer form.

Activitation Date of Court

The Supreme Court's urgent need for relief from its pressing docket persuaded the General Assembly to authorize the Court of Appeals to begin hearing appeals on October 1, 1967. This will require appointment of judges, preparation of adequate physical facilities for the court, and, perhaps most important of all, promulgation of detailed appellate rules, all without delay.

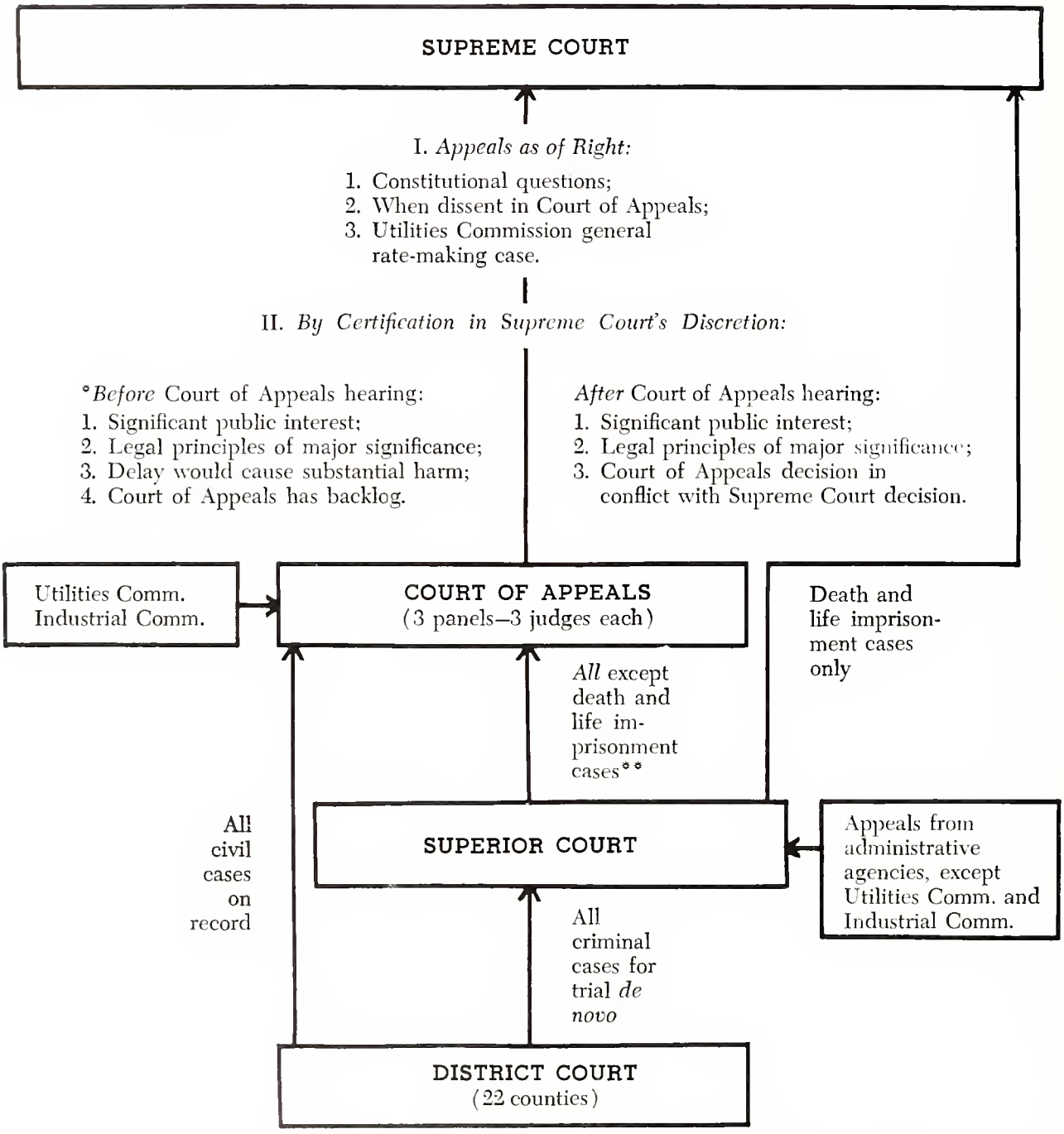
To assist the Supreme Court and simplify its task of drafting rules to cover the disposition of cases caught in the appellate process during the transitional period, the General Assembly provided some general statutory guidance. Cases appealed to the Supreme Court on or before September 30, 1967, are to be retained by it for disposition in accordance with the laws and rules applicable on that date; cases appealed to the Appellate Division (except capital and life imprisonment cases) on and after October 1, 1967, will be filed with the Court of Appeals for disposition in accordance with the new appellate jurisdiction statute; and civil cases tried in the district court, in which notice of appeal to the superior court has been given on or before September 30, 1967, and which have not been finally disposed of in the superior court on that date, will be disposed of as provided by Supreme Court rule, the jurisdiction of the superior court over civil appeals from the district court continuing to the extent necessary for this purpose.

Retirement and Recall

The 1965 amendments to the Constitution provide that the General Assembly may provide for the retirement of judges of the Court of Appeals and for their recall to active service in lieu of any active judge who is temporarily incapacitated. This addition merely parallels similar constitutional provisions concerning the Supreme Court. The Courts Commission recommended—and the legislature adopted—retirement, retirement compensation, and recall for temporary service provisions for the Court of Appeals judges which are closely akin to those already in existence for justices of the Supreme Court. The existing statutes concerning these matters were so confusing, ambiguous, and incomplete, however, that a thorough recodification of the law was deemed

GENERAL COURT OF JUSTICE

Routes of Appeal—October 1, 1967



*Utilities and Industrial Comm. cases *must* be heard by Court of Appeals *before* Supreme Court can hear.

**Post-conviction hearing appeals go to Court of Appeals by writ of certiorari only, and *no further.*

necessary. In the process references to the superior court judges were removed and placed in a separate article, as noted below. References to nonjudicial officials, such as the Attorney-General and the superior court solicitor, were also removed. The latter official loses the right to "tack," for subsequent retirement as a judge, solicitorial service subsequent to January 1, 1971. Since solicitors are not members of the judiciary and are covered by separate retirement laws, the legislature felt that they should be gradually phased out of a system designed for the retirement of appellate court judges. The 1971 date chosen will affect no solicitor in his present term, and, since this "tacking" privilige is an inchoate benefit of value only after eight years subsequent service as a judge, the actual loss to any solicitor now in office is highly speculative, if not nonexistent.

Provisions for disability retirement, retirement compensation, and temporary recall are substantially unchanged.

The provisions for retirement of superior court judges, in G.S. 7-50 and succeeding sections of the law, were intertwined with provisions for retirement of Supreme Court justices, with resulting uncertainty and confusion. A completely new and separate article, dealing solely with retirement and recall of superior court judges, was necessary. The new article deprives no judge of any retirement rights, vested or inchoate. Service as superior court solicitor, for "tacking" purposes, is eliminated at the same time and for the same reasons as noted above in the discussion of appellate judges' retirement. A new "age 68 and 12 years service" retirement clause is added, and service as Administrative Officer of the Courts is treated the same as service as a superior court judge, consistent with G.S. 7A-341, enacted in 1965. The disability retirement, retirement compensation, and temporary recall features of the law remain substantially unchanged.

One new provision of some significance is added. Superior court judges are required to retire upon reaching the age of 70, or as soon thereafter as their terms expire, if entitled to retirement compensation. The General Assembly felt that the physical wear and tear of being a trial judge, especially under North Carolina's system of rotation of superior court judges, was such that an age limitation should be imposed. While this limitation will permit some judges to serve beyond the age of 70, a mid-term cut-off apparently could not be constitutionally imposed. The effect of this limitation may be more psychological than real. □

BOND SALES

From September 13, 1966, through March 7, 1967, the Local Government Commission sold bonds for the following governmental units. The unit, the amount of bonds, the purpose for which bonds were issued, and the effective interest rates are given.

Unit	Amount	Purpose	Rate
Cities:			
Chapel Hill	$ 800,048	Public Library, Sanitary Sewer Bonds	3.92
Davidson	125,000	Sanitary Sewer System Water Bonds	3.99
Denton	580,000	Bonds	3.89
Dunn	1,610,000	Bonds	3.38
Gastonia	890,000	Water Bonds,	3.82
Hickory	1,230,000	Sanitary Sewer Bonds	
High Point	5,500,000	Bonds	3.35
Kinston	665,000	Sanitary Sewer, Storm Sewer, Street Improvement	3.99
Nashville	105,000	Water Bonds	4.0
Pinetops	60,000	Water Bonds	4.78
Plymouth	705,000	Water Bonds, Sanitary Sewer Bonds	4.50
Counties:			
Alamance	4,000,000	School Building Bonds	4.15
Avery	900,000	School Building Bonds	4.74
Beaufort	1,500,000	School Buildings Bonds, Public Hospital Bonds	4.04
Burke	1,000,000	Community College Bonds	3.35
Cleveland	3,250,000	School Bonds	4.11
Durham	3,175,000	Bonds	3.20
Hoke	650,000	School Building Bonds, County Jail Bonds	4.51
Pitt	3,985,000	School Building Bonds	3.53
Wake	4,415,000	School Building Bonds	3.44

GREENSBORO:

All-America City

April 13 was celebration day in Greensboro. Greensboro has been chosen by Look *magazine as an All-America City, and on the date the formal award presentation was made to community leaders at a banquet, with a public fireworks display following.*

Greensboro has a right to be proud. The award, which is made annually, does not signify that its recipients are model cities, utopian in every respect. It is made to cities that have recognized their problems and taken significant steps to remedy them, and the Look *article brings to mind an impressive list of accomplishments in Greensboro in recent years.*

Specifically, Look *cites Greensboro for*

- *Facing up to the city's essential needs in water, sewer, and street programs and being willing to finance the required improvements.*
- *Its enlightened approach to the problems of youth.*

These two points are demonstrated by the passage two years ago of a $19,000,000 bond issue for the expansion of public utilities and by such innovations as a youth council, which includes a youth jury to advise adult jurors in cases involving teen-age offenders.

But Greensboro counts other important assets and developments:

- *A new vitality in the central business district, including a new $1,000,000 library, a new sixteen-story office building, a new ten-story motel, a $1,000,000 parking garage, a $2,700,000 underground-wiring project, and a proposed $10,000,000 governmental complex.*
- *A tremendous growth in new industries ($40,000,000 in capital investments) near the airport in the area newly provided with municipal water and sewer facilities.*
- *The expansion of the city's cultural life, including a new music and dramatics building at Greensboro College, for which local citizens raised $5,500,000.*
- *Oversubscription to United Fund drives for the past two years, after many earlier failures to meet the goal.*
- *A healthy racial climate, with most public accommodations voluntarily open before the passage of the 1964 Civil Rights Act.*

The Greensboro Junior Chamber of Commerce nominated the city for the All-America award, and Look *commended the Jaycees for their part in awakening the city to the need for positive action, and also for their expansion of the GGO (from a $22,500 purse in 1960 to $125,000 in 1967), with the consequent attention that this golf classic brings to the city.*

In the history of the All-America Cities award, the Piedmont Crescent has distinguished itself. Previous winners in this area include High Point, Salisbury, and Gastonia. Winston-Salem has received the honor twice, and Charlotte has received honorable mention. Wilmington has also been an All-America City.

INSTITUTE LEGISLATIVE STAFF . . .

Carries on a Tradition of Service

By late March the North Carolina General Assembly was moving into higher gear, and the Institute of Government legislative staff was working in the jet stream of the increasing legislative tempo. So it has been since the Institute first sent members of its law-trained staff to Raleigh in 1935.

In the intervening years the staff in Raleigh has grown from three to five to seven members, and the services have increased more than commensurately. (Actually some eight Institute staffers are performing duties at the 1967 Legislature, but a rotation system has been worked out to enable the group to function at a ratio of five or six covering the General Assembly in Raleigh and the others attending to Chapel Hill duties in any given week.) The staff covers every session of the Assembly, reporting and analyzing all new legislation on the day introduced and the daily calendar action. The results appear in four Institute legislative publications: the *Daily Bulletin*, *Weekly Legislative Summary*, *Weekly Bulletins of Local Legislation*, and the *Final Legislative Summary*.

Backgrounds of Legislative Staff

The Institute legislative staff is headed for the second consecutive session by Milton Heath. Serving with him in Raleigh are Taylor McMillan, David Warren, Allan Ashman, Douglas Gill, Robert Phay, Lee Quaintance, and George Cleland. Their long and full daily schedule is illustrated by the picture story on these pages. All are trained in the law. Heath and Ashman received law degrees from Columbia University, following undergraduate degrees at Harvard and Brown; McMillan, from the University of Chicago, following his undergraduate degree at U.N.C.; Warren, from Duke, after Miami of Ohio; Gill, from Harvard, after Duke; Phay, from Yale after the University of Mississippi; Quaintance, from New York University, after an M.A. at Chicago; and Cleland, from Tulane after the U. S. Naval Academy and Wake Forest.

In Raleigh these diverse legal and other backgrounds are meshed in a team effort to keep public officials at State and local levels in North Carolina, plus our congressional delegation and other Washington officialdom, informed on proposed laws and their progress to passage. In addition, law and governmental libraries and some public libraries and research centers in the state and nation regularly receive one or more of the legislative bulletins. And the news media in the State are provided with legislative information.

Institute Legislative Publications

The *Daily Bulletin* goes to some 2,000 public officials and persons with scholarly or civic interest in government, arriving the morning following the session reported and analyzed. The *Weekly Summary* reaches some 7,000 officials, newsmen, and government-oriented people and provides a compact, lively review of the previous week in the General Assembly. The *Bulletin of Local Legislation* reports for each county all local legislation introduced and acted upon that week by the Legislature. The *Final Legislative Summary* provides a complete report and analysis of Statewide legislation passed during the session. Each publication complements the others. In style and content, the *Daily Bulletin* is more legal, analytical, and detailed; the *Weekly Legislative Summary*, more journalistic, succinct, and lively; the *Bulletin of Local Legislation*, more limited and specially oriented; the *Final Summary*, more comprehensive.

Consultation and Computer Services

It is not unusual for legislators and press to consult with the Institute legislative staff, for the group has become an informational resource to lawmakers and news media in such matters as the contents, status, and legal, governmental, or research aspects of proposed and current legislation.

In addition, the Institute is using computer services to advantage for the first time this session. (See article, page 9, this issue.) Dave Warren works with the staff of the State Department of Administration in planning the programming and in handling this part of the Institute's augmented service.

This use of the most modern resources is a further indication of change and growth in the Institute legislative service. This change permeates aspects ranging from procedures to physical facilities. The staff headquarters has shifted from earlier locations in Raleigh hotels or office buildings near the State Capitol to permanently assigned quarters in the new State Legislative Building. A Xerox machine provides an up-to-date copying process. Other equipment and procedures have been updated.

Staff Routine and Assignments

Even staff routine is different from the old days. In the earlier

decades staff members often moved to Raleigh for the session. Now they usually commute, although already Heath and others have been known to spend particularly busy nights in Raleigh this session. The staff works a long day. Their responsibilities begin in early morning well before the daily sessions, continue through coverage of every minute of every session in both House and Senate, and end only at that time of evening when the *Daily Bulletin* and other publications have been completed. The "late" man (a rotating responsibility) often stays after midnight to see that the final stages in preparing and mailing the *Bulletin* go off without hitch.

Each legislative staff member has a regular assignment. At this writing Quaintance and Cleland are covering the Senate; McMillan and Phay, the House. Ashman and Gill take over coverage of Senate or House to relieve the others, who may be rotated to the other house on their return. Warren has special assignments. McMillan, as the only returnee from the 1965 session on the daily bulletin staff, serves as second in command and relieves Heath in his absence. Heath runs the show. Occasionally he will come on the floor and help cover the Assembly. Usually, he operates in the office, serving as over-all administrator, handling liaison with legislators and other officials as well as with the Institute home base in Chapel Hill, editing and advising on *Bulletin* copy, and functioning as a sort of clearing house for the Institute operation.

Legislative Service Goals

Yet, withal, the goal of the Institute legislative service remains much the same as it always has been: to help legislators, other state and local public officials, the news media, and others oriented to public law and government to understand and keep abreast of the contents and progress of legislation introduced in the General Assembly.

The pictures and captions accompanying this story give some of the flavor, color, and industry of the legislative process as seen through the eyes of the Institute legislative staff. The staff's role will continue not only for the duration of the General Assembly but for weeks thereafter. For, long after the legislators and the attending crowds have gone, they will be tying together loose ends and completing their summary analyses. Most other Institute staff members work on this *Final Summary*, too. Finally, in mid-summer the legislative staff will wind up their task in Raleigh and return once more to Chapel Hill to resume their usual Institute responsibilities—until the next Legislature meets.—E.R.O. □

House Speaker David Britt and Lieutenant-Governor Robert Scott visit the Department of Administration's Central Data Processing office. Mrs. Susan Dokuzoguz, a CDP programmer, is their hostess. C. Ray Caudle, Director of Data Processing, and David H. Thornton, CDP Programming Manager, have worked closely over the past several months with David Warren and Milton Heath of the Institute staff in developing a new legislative reporting technique utilizing an IBM 360 computer.

Something New Has Been Added

INSTITUTE LEGISLATIVE SERVICE USES COMPUTER

The Institute of Government, with the assistance of the Department of Administration's Central Data Processing unit, is engaged in an innovative project to demonstrate the feasibility of storing and retrieving legislative information by a data-processing system. It is well known that computer operations can produce fast, accurate, and comprehensive reports and other forms of information. However, very little experimentation has been done with legislative reporting and indexing. North Carolina is now one of several states currently studying this computer application.

The Institute's *Daily Bulletin* procedure, whereby detailed but concise information is collected each day about bill introductions and calendar action, seems to lend itself to furnishing a means of putting legislative information into a data-processing system. Therefore, the project was undertaken to "computerize" the *day-by-day* information displayed in the *Daily Bulletin* and produce reports (in addition to the present Institute reports) showing *cumulative* information. The computer's "memory," coupled with the ability to update it with the *Daily Bulletin's* information about new bills and calendar action, make it possible to obtain information otherwise too time-consuming or altogether impractical to compile.

Computer Information

At this point the project has shown the ability to produce the following types of information:

(1) *Public Bill Index.* A listing of all the public bills introduced and the General Statutes chapters or other subjects (e.g., appropriations) that are amended or affected by the bills.

(2) *Local Bill Index.* A listing of all the local bills introduced and the counties to which the bill pertain.

(3) *Current-Status Report—Public Bills.* A listing of the General Statutes chapters and the bills which amend or affect each of the chapters. This listing also shows the short title and the current status of each of the bills as of the day of the report. Thus, for example, if the latest action taken on a bill is its reference to a committee, the report shows the committee referred to and the date it was referred. In addition, this report also indicates each page of the *Daily Bulletin* on which some action on the bill is reported, so that a complete legislative history of the bill can be obtained.

(4) *Current-Status Report—Local Bills.* A listing of the counties and the bills which affect each of the counties. This report also contains information concerning current status and *Daily Bulletin* page references.

(5) *Bills in Committee.* A listing of Senate and House committees and the bills presently in each committee.

(6) *Bills by Introducer.* A listing of members of the General Assembly and the bills which they have introduced.

(7) *Appropriations Bills.* A listing of all the bills directly involving appropriations by the General Assembly.

(8) *Bills Ratified.* A listing of all the bills and resolutions ratified as of the date of the report.

(9) *Bills Failed.* A listing of all the bills and resolutions which have failed or have otherwise received unfavorable final action as of the date of the report.

(10) *Bill History.* A listing of any selected bill or of all bills and the complete legislative history of each of them, including all introducers, all action taken and the dates, and the General Statutes chapters, subjects, or counties affected.

Trial Basis This Session

These reports are being produced on a trial basis during the 1967 session. They are presently being used to evaluate the feasibility of the procedures for recording the information and the utility of the various information formats. They are not yet in final form for distribution, but the goal of the project is to provide supplementary reports to the regular Institute legislative services. The only new periodic reports for which distribution is expected this year are the current-status report on public bills (item 3) and the public bill listing (item 1). Distribution in 1967 will probably be limited to deliveries in Raleigh.

In future sessions the techniques and procedures developed by this project for the use of a computer data-processing system hopefully will result in more complete and up-to-date legislative information for the Members and all others interested in the actions of the North Carolina General Assembly.—D.G.W. □

A Day With the Institute Legislative Staff

PRE-SESSION

Is this on the Calendar today? . . . Taylor McMillan (center) points out an item to Milton Heath (seated, left) as the Institute of Government legislative staff meets for pre-session briefing. Others are George Cleland (standing, left), Robert Phay (standing, right), and Lee Quaintance (seated, right).

"Good morning, Senator . . ." Heath confers with State Senator Ashley Futrell of Beaufort County.

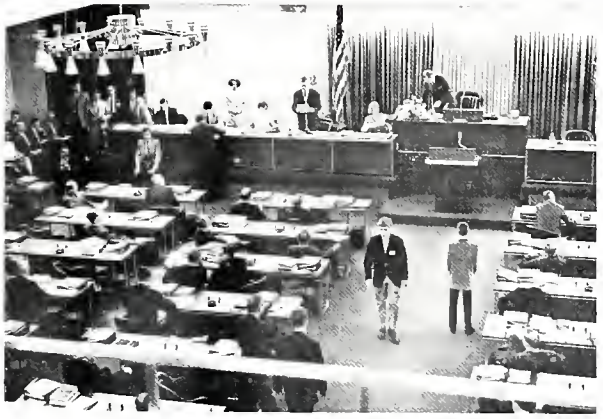
This should be a busy day. . . . David Warren looks over legislative materials before the opening of the noon session.

"Institute of Government Legislative Service . . ." Lower left, Deanie Mahood answers the phone while Bernice Osbourne looks on.

"Nice to see you . . ." Senator Wills Hancock (left) meets Cleland (shaking hands) and Quaintance in the State Senate. Elmer Oettinger of the Institute staff is at the extreme left.

IN SESSION

"Both your Houses in session . . ." Lieutenant-Governor Robert Scott presides over the Senate, Speaker David Britt over the House.



"House Bill Number 159, introduced by . . ." The House Reading Clerk stands (left of flag) while the Speaker leans over to receive papers from the Principal Clerk. Pages are in the aisle (center); the press sits and stands (upper left); members are in the foreground; Institute's Heath and Phay sit on dais (left, above photographer).

House shot, from above . . . Heath and Phay are shown at work during session. Normally, Heath is in the Institute office and McMillan covers House with Phay, but on this date McMillan was delayed by special assignment.

POST-SESSION

After session . . . McMillan, Heath, and Phay remain in the House checking over bill amendments and Calendar action.

Heath edits all copy and puts the Bulletin *together.*

In the office . . . The day's research begins. Cleland checks the General Statutes.

Quaintance looks in on the computer for facts and figures. . . .

Allan Ashman and Douglas Gill remain in Chapel Hill this day checking out proofs on their new handbook for law enforcement—The Laws of Arrest, Search and Seizure, and Evidence. *Next week they join the legislative staff in Raleigh, relieving two of the present group. This rotation continues throughout the session, permitting staff members to keep abreast of their responsibilities in both places.*

Analyzing the day's legislation for the Bulletin . . . *Quaintance, with Phay and McMillan in the background, puts his legal background to work.*

True Professionalism in Law Enforcement

by Quinn Tamm

[*Editor's Note: The author is the executive director of the International Association of Chiefs of Police. His office is in Washington, D. C. This article is based on his commencement address on March 3 before the first Police Management Institute conducted by the Institute of Government in Chapel Hill. Mr. Tamm also attended the briefing by the Institute staff that same day on the Report of the President's Commission on Law Enforcement and Administration of Justice. At the outset in his address, Mr. Tamm expressed the conviction that training programs such as this Police Management Institute "hold greater promise for effective law enforcement in our nation than any other single thing we of the police can do."*]

Training has been a major concern of mine throughout my career in law enforcement. It has always been my feeling that it should not be considered in the narrow sense of technical training but in the broad sense of achieving steadily greater professional status for the police.

Those of you who were in attendance at the IACP 73rd Annual Conference in October will recall that the prevailing theme was, in essence, the necessity to achieve true professionalism by those who are charged with enforcing the law.

That the attainment of true professionalism is a matter of major urgency is evidenced by the ever-greater problems faced by those in law enforcement. We are all familiar with the annual upswing in the crime rate, with the growing totals of death and injuries in traffic accidents, and the increasing disrespect for the due processes of law and for constituted authority evidenced almost daily in the civil disorders in our streets and on our campuses.

That these problems are of growing concern not only to the police is shown by the many actions being taken at the federal level of government: The President's National Crime Commission recently issued its report of findings after eighteen months of investigation and study. Still to come are the task-force reports. This institute was made possible through the enactment of the Law Enforcement Assistance Act. The 89th Congress enacted the Traffic and Highway Safety Acts of 1966 as major efforts to alleviate what President Johnson has so aptly described as "carnage on concrete." Already under consideration in the Senate and House are Safe Streets and Crime Control bills.

These results of concern at the national level with the problems in law enforcement are very encouraging. However, you and I know that under the federal concept of government, law enforcement is primarily a local responsibility. Therefore, unless police executives and those they supervise in our states, counties, and municipalities accomplish their responsibilities in the required manner, we are faced with two highly undesirable alternatives: (1) a steady growth in federal action to fill the vacuum, or (2) abdication in favor of those who flaunt the law, to the ultimate destruction of our nation.

There are fairly simple answers, in theory, to these problems. These would include unlimited funds for personnel and equipment; wholehearted public understanding and support for firm, impartial law enforcement; and programs of social action that would alleviate poverty, disease, and ignorance as contributing factors to crime.

These are solutions that are simple in principle, but none of us are under the illusion that they are simple to attain in practice, or that they will be fully achieved tomorrow, next year, or in the next decade. And while all of us are fully aware that resolving these problems is not the sole responsibility of the police, we in law enforcement will probably agree that we share a vital part of this responsibility.

I am glad to say that I am not alone in my knowledge that the police profession has made important progress, and will continue to enhance its capabilities to achieve these ultimate solutions. That this knowledge is now widespread was confirmed, in my opinion, at our annual conference last fall when a Philadelphia newspaper editorial stated that such a meeting would not have been possible a few decades ago. "The members of years ago, good cops as they might have been, would probably have had trouble understanding what the speakers were talking about," the editor noted.

This is probably a liberal stretching of the bounds of editorial license, but I do not believe that it was meant as a reflection on the capabilities of the police of former years to comprehend plain English. On the contrary, it constitutes recognition of the advanced professional knowledge and understanding that are the hallmarks of modern-day police executives. As one editor noted, "The modern-day police officer is no longer the stereotype of the overweight, night-stick waver, cautiously lifting free apples from the main street market."

There can be no argument with this comment. Today's police executive, in addition to possessing a comprehensive knowledge of the techniques of his vocation, must have considerably more than a speaking acquaintance with the law, medicine, sociology, psychology, education, science, and—most importantly—top-level management.

There is little place today in our increasingly complex society for police executives who are satisfied with the status quo either for their departments or for themselves. Complacency in this regard will find them outdistanced professionally by their peers, the departments they supervise ineffective, and law enforcement as a whole degraded.

Need for Continuing Training

The concept upon which this institute, and others like it throughout the nation, is based is that training is a never-ending process. Some of us who have spent many years in law enforcement can recall when the primary requirement in attaining executive rank was longevity. This situation necessarily posed the question: Does twenty years of experience equal twenty years of professional progress, or does it merely mean one year's experience repeated twenty times? Unfortunately—too often, I think—the latter was the case. With the geometrical progression that has taken place in the number and complexity of law enforcement problems, routine technical experience over a period of years is not sufficient to produce the police administrators needed now and in the future. Just as industry and the military have found, we too have learned that there is no end to training.

Each year industry goes to considerable expense to provide advanced educational opportunities for its executives. Managers through the vice-presidential level are sent to institutes and seminars such as those conducted by the Harvard Business School and other institutions to broaden their intellectual scope and sharpen their decision-making capabilities. In the military, a prerequisite for advancement to higher rank and increased responsibilities is the progression through successively higher levels of formal education at institutions such as command and staff colleges and service and national war colleges. If those responsible for our economic progress and national defense find this continued training mandatory, it must be equally so for those charged with the vital task of safeguarding our lives, liberties, and properties.

We in law enforcement have made considerable progress in making increased formal education and specialized training available to our operational personnel. Our association, for instance, has developed the Model Police Standards Council Act for adaptation by the states to assist in the establishment of minimum education and training standards for both entry-level and in-service personnel. We have developed model curricula for both two- and four-year police science degree programs. We have seen the number of colleges and universities providing these degree programs nearly double in the past five years to over 125. I am confident, from the enthusiastic cooperation shown by most educators, that this rise will be greatly accelerated in the next few years.

Thanks to the dedicated support of its over 6,500 members, our Association now provides our "Training Key" lessons to more than 1,400 agencies throughout the country as an in-service training aid. Since its inauguration in January, 1966, our "Sight/Sound" filmstrip/projector training program has grown to the point that it now benefits some 45,000 police officers.

A logical reaction to these and similar programs instituted by individual agencies would be: "Well, this is fine, and certainly we all agree that our young officers, and operational veterans with potential, need the best continuing education and training opportunities available, but I'm a veteran in this business with years of experience as a police executive. Do I too need further training?" The answer is obvious. You gentlemen would not be here, taking the time from your important duties, if this were not the case. But let's dig a little deeper into *why* this is so.

Just within the past few years, far-reaching changes have taken place in our nation. Science and technology have been advanced more in the past twenty years than in the previous two thousand. Social changes overturning hundreds of years of inertia have occurred within the past five years. Many of these changes have been revolutionary when we would have preferred for them to be evolutionary. But regardless of our individual desires, as police executives we must adapt to these changes. Not for us is the reply by the old mountaineer who was asked, "Pop, you must have seen a lot of changes in your day." His answer: "Yessiree, and I bin agin every one of them."

The major requirement placed on police executives from these changes is the acquisition of managerial talents that will allow us to cope with them. To succeed in meeting the challenges of these dynamic and demanding changes, police leaders must evaluate the adequacy of their facilities and equipment; they must make thorough and objective appraisals of the methods being used to administer and operate their departments' resources and personnel. And, most important, they must grow intellectually to keep pace with the new and dynamic concepts of management and organization that are being evolved to better enable law enforcement to meet the challenges of tomorrow.

Management Functions

I do not propose to give you a resume of the course you have just completed. This would be redundant, because it was both comprehensive and intensive. Those who devised it and those who participated in it deserve praise for a job well done.

I would, however, like to comment briefly on the functions of management, to which subject you have been exposed during your attendance here. These functions are: 1) planning, 2) organizing, 3) directing, 4) coordinating, and 5) controlling.

Planning, in brief, is the setting of goals. Broadly speaking, these goals are: 1) to prevent crime, and 2) to detect and apprehend offenders. To progress toward these goals, the police administrator must plan the programs of his department in context with the specific law enforcement problems of his community. He must consider the potentialities of any course of action. He must have a thorough knowledge of his resources, and his must be the directing force that will culminate in successful results. And in this day and age, he certainly must take into full consideration the matter of public opinion. He should not pander to special interests through the sacrifice of principles and professional ethics, but he should have the flexibility to change his courses of action when proved wrong or ineffective.

Organization is the blending together of people into a workable unit to achieve their goals. As a process, organization seeks to achieve three primary goals: 1) appropriate division of labor, 2) fixing the source of authority, and 3) defining relationships within the unit. If these organizational goals are not achieved, conflict, loss of efforts, and operational problems occur. In the division of labor, there must be a clear division of responsibility and work. These responsibilities and work efforts must be directed toward reaching organizational goals and objectives and eliminating duplication and undesirable overlapping of efforts. Without a clearly defined source of authority, each individual will do what he wants, when he wants, and any integrated effort and attainment will be impossible. Relationships must be clearly delineated

The author of this article, Quinn Tamm, Executive Director of the International Association of Chiefs of Police, stands between John L. Sanders, Director of the Institute, and Norman Pomrenke, who teaches police administration at the Institute.

so that each member of the department can have a basic understanding of his function, position, and standing in the organization.

The police administrator is a *leader* and must assume the leadership responsibilities. He must inspire confidence in his leadership, deserve loyalty, and be enthusiastically interested in his job. He must always keep in mind that his organization is a team of which he is the coach and that it is his responsibility to constantly inspire and stimulate each member to do his best.

Within his organization the administrator must *coordinate* the activities of the subordinate units. This cannot be done by sheer exercise of authority but rather by inspiring subordinates to exercise their authority, assume their responsibilities, and make their own decisions within the framework of departmental policy.

Finally—and in my opinion the most important next to the planning function—the police executive must *control* results by continual follow-up, by inspection, and review. He may assign authority but he cannot delegate this ultimate control responsibility. Periodically, he should make an objective appraisal of his department to be certain that it is functioning in conformance with his policies and towards the realization of departmental objectives.

To accomplish these leadership functions, the modern-day police executive must increase his knowledge and skills in three broad interrelated areas. The first of these contains what can be defined as the conceptual skills. These center around the management function and include planning, programming, budgeting, supervising, decision-making, and directing and controlling.

The second area includes those that can be defined as the human skills. In this area lie the ability to assume leadership and the leadership responsibility to discharge authority and assign it properly, and also the abilities to motivate personnel to higher productivity and to maintain high morale.

Finally, the police administrator must have a thorough grasp of the technical skills of an executive. These include the ability to make decisions based on careful objective analyses. He must have a thorough understanding of material and personnel requirements, the ability to evaluate the social forces that must be dealt with, and the ability to measure accurately the effectiveness of the operations he supervises.

All of these functions make the job of leadership a lonely one. The administrator must have the confidence of his staff and his commanders. But he cannot enjoy their friendship to the point where it might bias his decisions. He must have the proper rapport with the political and civic leaders of the community, but not to the point that he is compliant to their every whim against his considered professional judgment. And finally, he must know that he, and he alone, has the ultimate executive responsibility for law enforcement in his community—its success or failure.

His job probably is best defined by the lady who said her husband had a very responsible job—whatever went wrong, he was responsible.

Is it too much to ask that our profession provide leaders of this caliber? I don't think so, and I don't think you gentlemen do either, or you would not be here at this institute. The fact that police officers of your status are here to study and develop increased capabilities of leadership, not for personal gain but to better serve the cause of law enforcement, speaks more eloquently than I can of your dedication. Not only does it reflect credit upon each of you as an individual, but it also contributes importantly to the attainment of true police professionalism that we of the police are sworn to provide our communities and our nation as a whole.

The Police and the Public

In a recent letter to me as the Executive Director of our Association, the President of the United States said, "I am only one of the millions of concerned and determined Americans who are grateful to you and dependent on you for so much." The President, of course, was not speaking to me as an individual, but to all members of the police profession. I am convinced that his expressed sentiments does reflect the feeling of millions of concerned and determined Americans.

You gentlemen know firsthand of the crimes that occur throughout our land, of the disrespect and disdain for authority that flares up to the shame of our nation. But I am sure that each of you in your own community knows that these are exceptions—that the great majority of our citizens appreciate the dedicated service their police are providing. I think that many times when this is not true, it may be our fault, and the answer is a simple one. People need to be informed, and this too is the police job. Today we cannot stand alone, isolated from the community, a "silent service." We must tell our citizens who we are, what we are doing and how we are doing it, what our problems are and what they can do to help us. We must insure that they understand that law enforcement is the responsibility not of the police alone but of all citizens, a responsibility as inherent as the freedoms derived from their citizenship.

The problems you face as police executives are of the gravest nature, and, probably, generally speaking, your sources are inadequate. However, the dedication you have evidenced to better law enforcement through your completion of this rigorous course of study makes me confident that law and order will not only endure in our nation; it will prevail. And this will happen because of the leadership that you and others like you in our profession will provide—now, and in the future. □

Prevention of Dependency—A Challenge To Public Welfare

by Wallace H. Kuralt

[*Editor's Note: The author of this article is Director of the Mecklenburg County Department of Public Welfare.*]

Dependency is a nagging problem. Its costs in emotional and physical well-being to the dependent people and in dollars and cents and social stability to society as a whole are enormous. To find a way to prevent people from becoming dependent would be one of the great contributions of our age. In the past, people in need have simply been provided for (in varying degrees of adequacy), and this can have a certain rehabilitative effect if it permits children to go to school and grow up to become responsible, self-reliant, tax-paying citizens. But simple provision of sustenance, if it does not recognize the principles of motivation, will not encourage independence; a mother whose AFDC payment is reduced $1.00 for each $1.00 she earns has little incentive to seek work. Nor does it attack the root causes of poverty. Any attempt to prevent dependency must deal with these basic problems.

Some Primary Causes of Dependency

The *inability of humans to adjust to change* is one of the basic causes of dependency. In former years, when life was slower and less complicated, many families took care of themselves who could not do so today. Today the world changes very quickly, and people must be able to adapt to new situations. But some people cannot adapt because (1) they have too little education, or (2) they are mentally retarded, or (3) they are psychologically unstable, or (4) they are physically unfit or chronically ill, or (5) they are too old.

Technological advances in agriculture have meant that many rural families have been displaced and are moving to the cities. Often these people, who managed reasonably well on the farm, become dependent in the city because they are not equipped for competitive urban life. They have no specialized job skills, and they often have too little basic education to take the vocational training courses that will prepare them for jobs.

Similarly, mental deficients, who frequently had a useful role on the farm, often have no such place in the city. Some people are so scarred psychologically by parental neglect and abuse or by other causes that they cannot operate effectively in society. Many dependents with crippling physical handicaps or chronic illnesses come to the attention of public welfare only with the death of the supporting parents. Finally, there are the aged, who for a number of reasons are not much able to help themselves in today's society.

Irresponsible parenthood is a blanket term that might be used to cover the second group of conditions that contribute to dependency. Some evidences of this irresponsibility include (1) illegitimate children; (2) more children than parents can provide for or want; (3) too early marriages; (4) neglect or abuse of children; (5) separation and divorce.

Alcoholism, the excessive and uncontrolled use of alcohol, is not itself a problem with which public welfare has been much concerned in the past. Welfare sees the results of alcoholism. The alcoholic is out of the picture — he is in prison, he is institutionalized, he has died, or he has deserted. What remains is a dependent family, often one in which alcoholism in the preceding generation had done the damage that produced the alcoholism in the present generation.

Cultural shortcomings. Many of the characteristics that are thought of as desirable — certain attitudes toward work, motivation, standards of speech, dress, and personal habits — are learned by people brought up in a middle-class society. Groups that have not lived within this class have often not acquired these characteristics. The fact that they do not measure up to these standards of behavior and attitude is a serious handicap to getting along in a middle-class world.

Delinquency and crime affects not only the individual, but also the total family situation, often shattering a family that might have managed on its own.

Finally, *broad economic dislocations* — depressions, long-term strikes, automation, and so on — also account for dependency. Some of these economic disasters may be relatively short-lived, but how much and how long a particular family is affected by one of them is influenced by whether it is affected by any of the other dependency-producing factors.

Legal Authority for the Concept of Dependency Prevention

These are some of the causes of dependency. The real task is to help people before the weight of one of these problems makes them unable to help themselves. Neither federal nor state welfare legislation specifically encourages development of dependency-prevention programs, but general authority exists in federal law (1962 and 1965 amendments to the Social Security Act) for departments of public welfare to offer services to

"potentially dependent families." North Carolina public welfare laws (Chapter 108 - 3 (2)) authorize the State Board of Public Welfare to study ". . . the prevention of any hurtful social condition," and county welfare boards (Chapter 108-11) are to act in an advisory capacity in ". . . bettering social conditions." In other words, public welfare has the responsibility to concern itself with the "social climate" that may contribute to human problems.

Some Tools for Prevention of Dependency

On the basis of this general authority, and feeling that prevention of dependency would ultimately be their most valuable work, public welfare departments in North Carolina have developed some effective methods of partially achieving this goal.

Homemaker Service

One of these is the homemaker service. When this program was first introduced, the basic purpose was to hold a family together in time of crisis — to provide child care and whatever services were needed when the mother was temporarily removed from her normal role. Later the program proved useful in relieving parents who were under the intense pressures, both physical and emotional, of caring full time for a seriously disabled or disturbed child. But most important, from a dependency-prevention standpoint, homemakers go into the homes of low-income families, in association with social caseworkers, to show a family how it can get along better, promoting better nutrition and housekeeping and helping the children know another way of life. These workers are often the means by which public welfare has been able to reach people *before* they become applicants for assistance.

In recent years, under new federal legislation, the homemaker service has also offered care for the aged and chronically ill. Even a limited amount of this kind of help can often avoid moving the aged unwillingly from their own homes into group homes, in unfamiliar settings, at greater expense.

Day Care

One of the most promising approaches to prevention of dependency is day care for children of low-income families. Not only does day care for their children encourage mothers of poor families to increase family income, but it also has a significant effect on the children of low-income neighborhoods in terms of new life experiences and cultural enrichment. School teachers can readily tell day-care children from those who have not had this experience. Day care gives a child much greater self-assurance and develops healthy attitudes. It offers a great hope in preventing children of dependent or near-dependent families from becoming dependent adults.

Family Planning

Too many children too close together can break down a family that might have held together and provided for itself reasonably well. A father unable to care for his children may desert. An unwanted, rejected child may suffer the psychological damage that can cause a problem adult. Repeated pregnancies may affect a mother's health. Her ill health may result in future premature births with frequently associated brain damage to the child.

In many places, *birth control* programs under the direction of public welfare and public health have made great strides in reducing the dependency that comes from having more children than a family can care for. Oral contraceptives have offered an acceptable, practical, and inexpensive method to achieve this aim. Professional social workers who have worked actively with the poor in the promotion of spaced pregnancies have found that they accept and adopt these new techniques readily. Department of welfare budgets, as well as reduced birth rates for the counties where the birth-control programs are operating, attest to this fact.

Family planning is more than birth control: When a family accepts the concept of planning for birth, it may accept help in appreciating the value of planning other phases of life as well. The result is that family planning, in its broadest sense, can produce responsible parenthood and better family life, with all of the implications that this has for the individual and for society as a whole.

A different aspect of the program is *voluntary sterilization.* Legislation permitting this operation in North Carolina was passed in 1963. The number of very low-income families that have availed themselves of sterilization for contraceptive purposes has risen to about thirty a month in Mecklenburg County. Voluntary sterilization allows parents to limit the size of their families permanently if they desire. The legislation permits them to arrange with private physicians for the required surgery; public welfare usually carries the cost of hospitalization.

(In this connection, the public consideration that has arisen recently over the desirability of legislation authorizing permissive abortion may be mentioned. The births of defective children that resulted from the drug Thalidomide a few years ago brought home the present nation-wide rigidity of the laws that deal with abortion. The public has also been concerned with the costs of illegitimacy in both monetary and human values — the additions to the welfare lists, the psychological damage to both illegitimate children and their mothers, and the health dangers associated with illegal abortion. To all of these problems, the legalization of abortion offers one possible solution.)

Eugenical sterilization, provided for in North Carolina law since 1932 and administered by the Eugenics Board, is another instru-

ment (little used) for preventing the birth of mentally defective children and repeated pregnancies in mothers incapable of providing adequate child care. The parents and their children that might be born are potential dependents, and the parents want and need help.

Control of Alcoholism

In the past public welfare has been concerned with the shattered family of an alcoholic who is institutionalized or imprisoned rather than with the alcoholic himself. Recently, however, alcoholism has been increasingly accepted as an illness, and this means that public welfare will see more of the alcoholic. A man may become an alcoholic as a response to many kinds of problems that welfare cannot deal with, but public welfare can help bring him to the point of wanting to do something about his immediate problem with alcohol. Social casework, in conjunction with the latest medical treatment, can often be effective in developing this motivation. Several drugs offer considerable assistance. One of these is Antabuse, which makes the patient violently sick if he drinks while taking the medication. Another is Flagyl. This is a new drug that, at least initially, produces a much higher degree of success than any previously used medication. Public welfare needs to keep abreast of medical advances in this field and to explore all possibilities for the control of alcoholism.

Occupational Counseling

Many of the chronically unemployed have not yet become public dependents, but they have lost their role as breadwinner for their families and their self-respect. They need direction toward jobs for which they are equipped (and ideally, toward a desire to obtain more training). They need aid in understanding how to get and hold a job. Occupational counseling can help these people remain self-sufficient. A welfare department that undertakes this activity works with other agencies that offer basic adult education, occupational training, and vocational rehabilitation. It helps the client in the important areas of developing desire and self-confidence, of understanding and accepting responsibility as an employee, and of knowing where and how to apply for a job. In this way, patient, sympathetic, knowledgeable social casework can prevent whole families from becoming chronically dependent.

Other Factors in Preventing Dependency

These programs just discussed have been departures from the traditional activities of welfare departments, but a number of these traditional approaches can have a place in an effort for dependency prevention.

The *surplus-food distribution* plan brings a great many families to the attention of the welfare department for the first time. It provides an opportunity, through applied home economics and social casework, to offer a family direction and encouragement to take action to stop its downward movement toward complete dependency.

Child-welfare services, which include foster care of children and placement of children for adoption, and *aid to unmarried mothers* in regaining self-sufficiency and self-respect salvage many lives that would be lost, and a burden to society.

An alert social caseworker can detect *medical problems* that may disrupt family life and lead to disablement and dependency. This is particularly true if some special effort is made in a staff-development program to provide some training in recognizing these medical symptoms. In addition, the caseworker who is helping an applicant for medical care sees other social problems within a family and has an opportunity to encourage the family to try to deal with these destructive forces.

One area of traditional public welfare responsibility (along with public education) is *school attendance*. A very common statistic in public welfare case records is that no adult member in the family had adequate education. Among the older generation, this is not surprising, because educational facilities may simply not have been available. But today, when the opportunity is available to every youth, in some low-income neighborhoods barely half of all school-age children attend school regularly. There is little indication that the school-attendance laws are being enforced by anybody. Apparently public welfare has considered school attendance primarily a school problem. Yet in terms of preventing dependency, it is very much a public welfare problem too, because children without adequate education are almost certainly doomed to a life of dependency or at least poverty. They are not equipped to live in a competitive society or to adjust readily to the changes that constantly come about.

State newspapers and radio-television have frequently pointed out that public education is no longer free education but "fee education." It is true that a low-income family with several children may be charged school fees that equal one month's total family earnings. School fees should be eliminated, and free transportation should be provided for children who must be carried to school, whether in the city or in the country. Maximum school attendance for all children is absolutely essential if dependency is to be prevented. Public welfare, public education, and other agencies must provide whatever services are needed in order to attain it.

A major reason for family instability and parental irresponsibility at all levels of society is that marriage partners are often not prepared for marriage and family life —in their attitudes, or in their understanding of others and how to get along with them, or in knowing

how to manage a home. The high incidence of illegitimacy, desertion, divorce, and child neglect and abuse strongly suggests the need for broad-scale *education for family life*, in terms of understanding relationships between parents and between parent and child, of knowing how to manage money, and of how to maintain a livable home. Without this kind of approach, families will continue to break up at an alarming rate. For low-income families, public welfare is the agency best equipped to develop and offer the family-life education that will promote family stability and help reduce dependency.

Some Further Considerations in Preventing Dependency

For many years public welfare has been willing to wait to offer help until a dependent person asked for it. This will no longer do. The public has come to understand that positive prevention of dependency—helping people remain self-reliant—is not only less expensive but also better for the dependent people than merely providing sustenance. This means that public welfare must assume responsibility for initiating social casework or social group work with low-income families (and sometimes other families too) before dependency develops and financial assistance is required. It means that a comprehensive interagency approach must be made to family welfare services. Each family and each person within the family has his own special need, and labeling it as clearly health, mental health, education, or welfare is difficult. Very likely, the need is for some of each.

The changes at work in society at large have meant a change in the dimension of the public welfare task. People move freely from some distance away to the cities and often encounter great difficulty in establishing themselves in jobs and homes. This means that the geographical concern of welfare has become larger. It is no longer county-wide, but state-wide and region-wide. Perhaps some basic changes in the organization of public welfare should be contemplated. For example, what size should a public welfare administrative unit be to render its optimum service? Can a welfare department operating in a small county provide the specialized skills, the research, training, and administration to work effectively with families in need? Probably not. This is a day of specialization. To meet the needs of dependent families and, more important, to carry on programs to preserve self-reliance for the future will require a highly specialized staff. Establishing an administrative unit big enough to support this kind of personnel will aid a program to prevent dependency.

We have seen that methods are available to work toward dependency prevention, and significant progress can be made through thoughtful and courageous action by public welfare and the governmental structure under which public welfare works. The concern of the American public with the financial burden it carries in supporting relief rolls and the misery of the people whose names appear on those rolls both require that the effort be made.

Book Reviews

ATLAS OF NORTH CAROLINA. Director and Chief Cartographer, Richard E. Lonsdale. The University of North Carolina Press, 1967, 158 pp. $7.50.

This North Carolina Atlas uses words, pictures, and charts to provide information about everything in the State from "Land Surface" to "Percentage Change in County Population, 1930-1960." Officials, scholars, and citizens in all walks of life will be able to learn from some 45 contributors about generalized geology, soils, natural vegetation, mineral resources, outdoor recreation areas, coastal fishery resources, climatic characteristics, aboriginal North Carolinians, early European colonization, formation of boundaries, the Revolutionary and Civil Wars, population density, and other subjects.

Much of the information is selective rather than comprehensive, but the selection seems sound and oriented to the developing minds of school children. This first Atlas of the State is clear in writing and attractive in design. It will fill a useful niche in our libraries.—E.R.O □

New Books in Law and Government

Leach, Richard. *Governing the American Nation.* Allyn and Bacon, 1967. $8.95.

Raphaeli, Nimrod. *Readings in Comparative Public Administration.* Allyn and Bacon, 1967. $6.50.

Warner, Kenneth O., ed. *Collective Bargaining in the Public Service: Theory and Practice.* 1967. $7.00.

Free Press and Fair Trial: North Carolina Bench-Bar-Press-Broadcasters Committee Carries on a Continuing Dialogue

by Elmer Oettinger

The question, now receiving careful re-examination, is how to preserve the essentials of a free press and at the same time prevent publicity which is prejudicial to an accused person's right to a fair trial.

This should not be viewed as a contest between two competing rights. Nor is it a controversy between the news media and the bar. Responsible leaders of both agree that fair trial and free press must be preserved and ever strengthened, for each is essential to the survival of the other. The crucial task is to see that both of these rights can still be accommodated in the limited area [where there is conflict]. —Lewis F. Powell, Jr., "The Right To A Fair Trial," American Bar Association Journal (June, 1965) 535.

* * *

Healthy Debate

One of the healthiest aspects of the democratic society is that segments of the public with variant interests and viewpoints can talk out their differences. Accordingly, perhaps the major achievement to date of the North Carolina Bench-Bar-Press Broadcasters Committee is its establishment of a solid base for a continuing dialogue among members of divergent professions who tend to disagree on an important area of overlapping responsibilities.

Their current debate is going on all over the nation. Its fundamental inquiry involves the prickly problems of maintaining the constitutional guarantees both of a free press and a fair trial for all accused. Specific questions range from the right of the press to publish such items as alleged confessions or prior criminal records during or before a trial to the need for judicial restraints on the press, juries, the bar, and law enforcement officers for the purpose of limiting or controlling pre-trial and trial publicity and conduct. These questions are made more complex in that court decisions, especially in the past two years, have resolved just enough of the problems to leave exposed some sharp cutting edges of continuing conflict in the application of the free press guarantee of the First Amendment and the fair trial guarantee of the Sixth.

Bar-Bench-Press-Broadcasters Committee

The Bench - Bar - Press - Broadcasters Committee in North Carolina meets about once every three months. It works quietly, but its meetings are open. Its members are dedicated in their concern for enhancing mutual understanding and improving relationships as they consider the knotty questions of fair trial and free press. Having been named to the Committee by their respective organizations — the North Carolina Judicial Conference, the North Carolina Bar Association, the North Carolina Press Association, and the North Carolina Association of Broadcasters—they drive from Winston-Salem

Participants in the Bench-Bar-Press-Broadcasters Committee's fall meeting at the Institute of Government confer. Left to right are: Jack Hankins, general manager, Radio Station WELS, Kinston; C. A. McKnight, editor, Charlotte Observer; *Sam Ragan, executive news editor, Raleigh* News and Observer; *and Superior Court Judge Hamilton H. Hobgood, Franklinton.*

and Raleigh, Charlotte and Reidsville and Kinston, Burlington and Farmville, to meetings held centrally in Chapel Hill at the Institute of Government. They attend regularly, without reimbursement of any kind. The meetings are conducted informally but with an orderly sense of inquiry and responsibility.

Out of the first six meetings have grown a mutual respect and an intensified desire to contribute to solutions while maintaining a continuing dialogue.

Achievements to Date

The first constructive achievement of the Committee was the formulation of a Statement of Principles. That statement, passed unanimously at the third meeting, has since been adopted by the Bar, Press and Broadcasters Association of the states. That in itself marks a framework within which a principled approach to guarantees of fair trial and free press can be approached with affirmation. The North Carolina group was not the first such state committee to adopt a statement of principles or code of ethics. Such states as Oregon, Massachusetts, and Wyoming had preceded it. The North Carolina Statement (see page 23) combines ideas from others with some original perceptions to create a fresh and workable document.

The second constructive step is still in the process. *A Handbook for Newsmen Covering Court Proceedings* has been drafted by Judge Maurice Braswell and has undergone editing by various other members of the Committee.

Charged with putting the draft in final form is a sub-committee headed by Judge Braswell and including attorney Charles Brantley Aycock, television executive F. O. Carver, and editor Sam Ragan. When ready, the *Handbook* should be useful to law enforcement officers and public officials as well as to newsmen.

A third forward-looking move came with the addition of law enforcement representatives to the Committee. The participation of representatives of the State Bureau of Investigation, the State Highway Patrol, and a local police executive in the fifth meeting marked an appropriate expansion of the Committee makeup.

The Reports of National Committees

A fourth Committee advance has attended consideration of the various national reports on free press and fair trial. At least three major reports and one important hearing on the subject have been published. The reports are (1) The American Bar Association Project on Minimum Standards for Criminal Justice; Standards Relating to Fair Trial and Free Press (known as the Reardon Report, after Judge Paul C. Reardon, Chairman of the ABA Advisory Committee on Fair Trial and Free Press); (2) The Report of the American Newspaper Publishers Association on "Free Press and Fair Trial" (by an ANPA special committee headed by Publisher

BENCH-BAR-PRESS-BROADCASTERS COMMITTEE
Institute of Government
September 24, 1966

Participants

Bench: Judge E. Maurice Braswell, Judge of the Superior Court, Twelfth District, Fayetteville; Judge Allen H. Gwyn, Judge of the Superior Court, Seventeenth District, Reidsville; Judge Hamilton H. Hobgood, Judge of the Superior Court, Ninth District, Louisburg; Judge Rudolph I. Mintz, Judge of the Superior Court, Fifth District, Wilmington.

Bar: C. Brantley Aycock, Attorney at Law, Kinston; George A. Long, Attorney at Law, Burlington; Norwood Robinson, Attorney at Law, Winston-Salem; William M. Storey, Executive Secretary, North Carolina Bar Association, Raleigh.

Institute of Government: John L. Sanders, Director; Elmer Oettinger, Assistant Director; Ed Hinsdale, Assistant Director; Norman Pomrenke, Assistant Director; L. Poindexter Watts, Assistant Director.

Press: J. Wallace Carroll, Editor and Publisher, The Winston-Salem Journal, Winston-Salem; Carl Jeffress, Publisher, The Greensboro Daily News, Greensboro; C. A. McKnight, Editor, The Charlotte Observer, Charlotte; Sam Ragan, Executive Editor, The News & Observer, Raleigh; Al Resch, Editor, The Chatham Record, Siler City.

Broadcasters: F. O. Carver, Director of Public Relations, Station WSJS, Winston-Salem; Jack P. Hankins, General Manager, Station WELS, Kinston; David Murray, Executive Secretary, North Carolina Association of Broadcasters, Raleigh; Carl Venters, Jr., General Manager, Station WFAG, Farmville.

Law Enforcement: Walter Anderson, Director, State Bureau of Investigation, Raleigh; Major W. B. Julian, Assistant Chief of Police, Durham; Colonel Charles Speed, Commander, North Carolina State Highway Patrol, Raleigh.

Guests: William F. Womble, President, N. C. Bar Association, Winston-Salem; James M. Poyner, President-Elect, N. C. Bar Association, Raleigh; Stanley Moore, Editor, Morganton News-Herald, Morganton; J. Dickson Phillips, Jr., Dean, School of Law, University of North Carolina at Chapel Hill; John B. Adams, Professor, School of Journalism, University of North Carolina at Chapel Hill; Robert Gwyn, Assistant Professor, Department of Radio, Television, and Motion Pictures, University of North Carolina at Chapel Hill.

D. Tennant Bryan of the *Richmond Times Dispatch and News Leader*); and (3) The Report of the New York City Bar Association's Fair Trial Committee (known as the Medina Report after the chairman of the committee, Judge Harold R. Medina of the United States Court of Appeals for the Second Circuit). The hearing was conducted before the Sub-Committee on Constitutional Rights chaired by Senator Sam J. Ervin of North Carolina and the Sub-Committee on Improvements and Judicial Machinery of the the Committee on the Judiciary of the United States Senate. In addition to these bulky documents, the various news media have carried articles, columns, documentaries, and debates on free press and fair trials. Selected materials have been prepared by the Institute of Government and distributed to members of the North Carolina Bench-Bar-Press Broadcasters Committee so that they might keep up-to-date.

The various major reports will be discussed in a later article of *Popular Government*. It is sufficient to note here that the ABA Reardon Report calls for restrictions on lawyers, law enforcement officers, witnesses, and others who presumably are both within jurisdiction of the court and prime sources of information to the news media in pre-trial and trial publicity; the ANPA report would maintain that the press has freedom to report what it will of court proceedings and that the judge has sufficient power to assure a fair trial simply by properly using his powers to instruct or sequester juries, or change venue, when necessary; the Medina Report takes a middle ground, calling for a voluntary approach, defending the free-press provision of the First Amendment, and calling for enforcement for the American Bar Association of Canon 20 of the Bar's Canons of Ethics.

Future Agenda

In order to know more about the over-all problem, the Committee, at its most recent meeting in February, voted to invite Federal Judge J. Spencer Bell to address its next meeting in May. However, Judge Bell, who had been named by President Johnson to head a sub-committee to explore the question of free press and fair trial, died shortly after that meeting. The Committee undoubtedly will want to continue to seek out primary resources as it digs deeper.

A sixth development came about at its most recent meeting, following an analysis of the Report of the President's Commission on Law Enforcement and Administration of Justice by Norman Pomrenke and Elmer Oettinger. Noting the call of the National Crime Commission for similar groups at state level, the Bench-Bar-Press-Broadcasters Committee named a sub-committee to explore

NORTH CAROLINA BENCH-BAR-PRESS-BROADCASTERS JOINT STATEMENT OF PRINCIPLES

Fair trials and freedom of the press are both provided by our Constitution and law. These rights are basic in our society. They are not ends in themselves, but are necessary guarantors of freedom for the individual.

The necessity of preserving both the right to a fair trial and the freedom to disseminate the news is of public concern to responsible members of the legal and journalistic professions.

The North Carolina Bench-Bar-Press-Broadcasters Conference upholds and defends these constitutional guarantees. In an effort to keep the public fully informed and to protect the rights of individuals, on the basis of our shared convictions, the Conference does adopt the following Statement of Principles:

I. All concerned should accept in their total responsibility the constant scrutiny of law enforcement and the judicial process.

2. The news media have the right and the responsibility to print and to broadcast the truth.

3. The demands of accuracy and objectivity in news reporting should be balanced with the needs of fair trial. The public has a right to be informed. The accused has the right to be judged in an atmosphere free from undue public prejudice.

4. Good judgment should prevail in the selection, printing and broadcasting of the news.

5. The right to decide what is news rests with the editor or news director. In the exercise of that judgment, he should consider that:

(a) An accused person, whether charged in a warrant or arrested, is presumed innocent until proved guilty in court.

(b) Readers and listeners are potential jurors.

(c) Crime reporting—as all reporting—should be accurate and objective.

6. The public has a right to know how justice is being administered. However, it is improper for any prosecuting attorney, law enforcement officer, or defense counsel to exploit any medium of information so as to promote or inhibit either side of a pending case.

In recognition of the relevancy of these principles, the undersigned hereby testify to their continuing desire to achieve the best possible accommodation of the rights of the individual and the rights of the public, when these two fundamental precepts appear to be in conflict in the administration of justice.

Done in Conference at Chapel Hill, North Carolina, on this the 4th day of June, 1966.

the possibilities of a State Crime Commission as recommended by the President's Commission. Obviously, the Committee interest in this subject is legitimate and important, for sensational and controversial crime lies at the heart of much of the free press-fair trial controversy. The affirmative tone and progress of the sixth meeting brought a healthy swing back from the rather tense and somewhat antagonistic presentations at the fifth meeting last September.

Principles and Definitions

The fifth meeting of the North Carolina Bench-Bar-Press-Broadcasters Committee started out quietly enough. First, the committee unanimously agreed to delete a sentence from the Statement of Principles (see page 23) passed at its May meeting and approved by the various groups at summer meetings. The deleted sentence had drawn objection from the Bar and Judiciary. It had read: "There is no prerogative in the trial judge which would entitle him to suppress, edit, or censor the reporting of events which transpire in open court." The Statement of Principles had been approved in its original form by the North Carolina Press Association and the North Carolina Association of Broadcasters. The Executive Committee of the Bar had endorsed it in the amended form.

Next, additional definitions for a *Handbook for Newsmen Covering Court Proceedings*, presently in rough draft form, were accepted and plans for editing the Handbook were furthered. The warm breezes streaming in the open windows that Saturday morning added to the deceptively quiet atmosphere of autumn.

But the committee and its guests (see page 22 for names) were now prepared to discuss a more immediate and controversial matter—the ruling promulgated by Superior Court Judges Raymond Mallard and E. Maurice Braswell which, in effect, had dried up press sources of much pre-trial information.

The Ruling of the Judges

The rule of court provides that, from arrest to judgment and sentence, no one in any way connected with a criminal case is permitted to make any statement for publication, or possible publication, regarding anything that may have a bearing on the outcome of the trial. Specifically, the judges' prohibition read:

> After arrest, and before final determination in this court of any criminal case which may come before it, no accused, counsel, prosecutor, witness, law enforcement officer, court staff, court official, or any person engaged in or assisting in the investigation, preparation or trial of the case shall make any statement for the purpose of publication, or having reason to believe that it will be published concerning the fact of or contents of any confession or statement of the accused, or concerning any prior criminal record of the accused, or the fact of or the results of any tests, or what the evidence is expected to be, or comments upon the credibility of any witness, or express any opinions as to the guilt or innocence of the accused.

The judges specified certain things which could be published. Their statement said:

> This rule shall not prohibit the giving out of the name of the accused, the fact that he has been charged with given crime, or any other information not specifically prohibited in the preceding paragraphs; nor does this prohibit publication of the same or the description of the suspect not yet apprehended, nor a description of the car for the purpose of soliciting the aid of the public in the apprehension of the suspect or the discovery of witnesses or other evidence.

The Reply of the Press

The press and broadcasting members of the committee fired round after round of verbal ammunition at judges' ruling. One press member read the heart of a statement to the assembled judges, lawyers, newsmen, and law enforcement officers formulated earlier that morning by the board of directors of the North Carolina Press Association. The statement termed the ruling of the judges "a denial or an infringement of the right of the people to know." The press objections to the judges' rule were five-fold: it (1) limits the press function of exposing judicial process to public scrutiny, thus encouraging secrecy, permitting the arrogance and tyranny of "police state methods," and undermining "public confidence in the integrity of the judicial system"; (2) discriminates against the press, in violation of the equal protection clause of the Fourteenth Amendment, in that information denied to the press under the ruling is alleged to have been made available by police to insurance adjusters and lawyers, and imposes a censorship on sources of press information in violation of the first and Fourteenth Amendments; (3) violates statutory as well as constitutional authority in that the State Supreme Court is charged with establishing rules of practice and procedure in the trial courts of North Carolina; (4) is unnecessary because (a) a conviction in a criminal case has never been reversed by the State Supreme Court on grounds that the trial was unfair due to alleged "prejudicial publicity," and (b) the Bench-Bar-Press-Broadcasters had unanimously approved and endorsed a "Joint Statement of Principles" designed to provide essential guidelines; and (5) establishes so drastic a rule of court (in that it "modified

Bench-Bar-Press-Broadcasters representatives listen carefully as a member presents his views. Shown left to right are Carl Venters, Jr., general manager, Radio Station WFAG, Farmville; F. O. Carver, public relations director, WSJS-TV, Winston-Salem; William Womble, Winston-Salem attorney, president, North Carolina Bar Association; Superior Court Judge Allen H. Gwyn, Reidsville; and Superior Court Judge Rudolph I. Mintz, Wilmington. Assistant Director Elmer Oettinger of the Institute of Government serves as acting chairman of the Committee.

traditional concepts, practices, and liberties") that its validity should be "promptly tested by appropriate judicial proceedings" to determine its constitutionality.

The press criticism of the judges' ruling reflected both an indignation at what it considers an assault on its traditional freedom and a sense of frustration at its inability to challenge the ruling in the only place that challenge ultimately might be effective—in the courts themselves. For the judges did not direct their order to the press but only to those whose connections with the case might subject them to jurisdiction of the court. Thus, the court test called for in the press statement might be difficult to attain. It is doubtful that the press itself could bring any kind of action, not even a declaratory judgment, since *it* was not *ordered* to do anything. On the other hand, it is unlikely that, barring a contempt citation, a defendant, lawyer, law enforcement officer, or witness subject to the courts' rule would challenge its legality. So far there has been no citation or other judicial action to implement the ruling.

The press statement quoted the opinion of the United States Supreme Court in the case of *Sheppard vs. Maxwell*[2] (341w 4451, decided June 6, 1966) as follows:

> The press does not simply publish information about trials but guards against the miscarriage of justice by subjecting the police prosecutor and judicial processors to extensive public scrutiny and criticism.

The Sheppard Case and Beyond

There was conscious irony in that quotation. The two judges had cited the Sheppard case as the authority on which they based *their* rule. They had quoted from the United States Supreme Court opinion, not once but twice. As a consequence, both judiciary and press were citing the same decision as authority for conflicting stands.

The sections quoted form the *Sheppard* opinion by the North Carolina judges had encouraged our courts to "take strong measures" to protect the accused in criminal cases and to prescribe rules to protect their judicial process from prejudicial outside interferences. Specifically, the judges cited this passage:

> Due process requires that the accused receive a fair trial by an impartial jury free from outside influence. Given the pervasiveness of modern communications and

BENCH-BAR-PRESS-BROADCASTERS CONFERENCE

. . . a table's-eye view

> the difficulty of effacing prejudicial publicity from the minds of jurors, the trial court must take strong measures to insure that the balance is never waived against the accused.

Judges Braswell and Mallard also drew this passage from the Sheppard decision:

> The courts must take such steps by rule and regulation that will protect their processes from prejudicial outside interferences. Neither prosecutors, counsel for defense, the accused, witnesses, court staff nor enforcement officers coming under the jurisdiction of the court should be permitted to frustrate its function. Collaboration between counsel and the press as to information effecting the fairness of a criminal trial is not only subject to regulation, but is highly censurable and worthy of disciplinary measures.

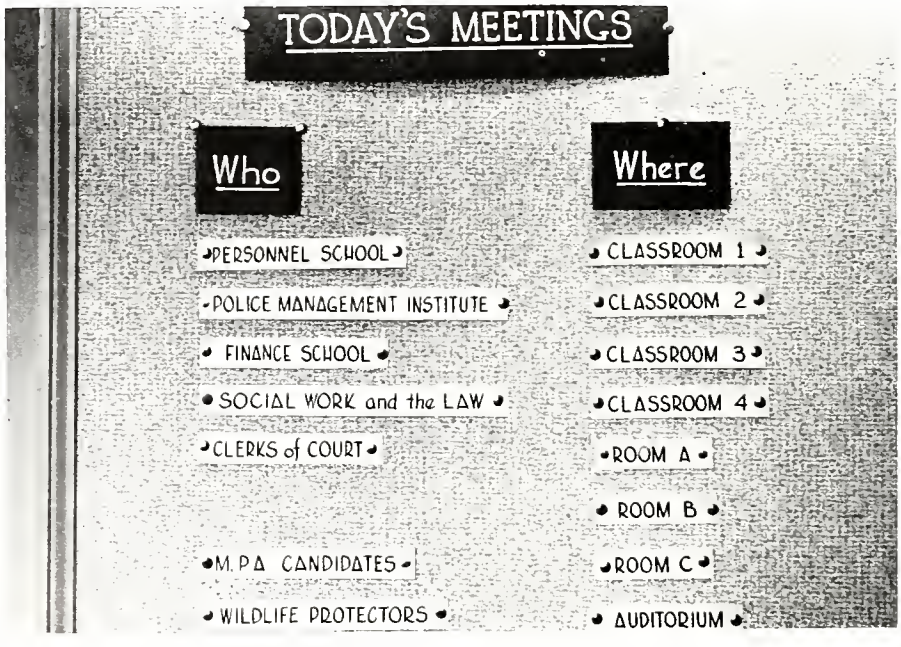
That both judges and editors should drawn upon the holding in the *Sheppard* case suggests the importance of that decision in the question of maintaining the Constitutional guarantees of both fair trial and free press. [See *Popular Government* (March, 1967), pp. 35-36.]

The general atmosphere in the Bench-Bar-Press meeting room at the Institute of Government was one of calm restraint. The blue-ribbon membership of the Committee had survived a first meeting almost fifteen months earlier in which the representatives sat strictly according to profession and stared coolly at each other across the conference table. In three subsequent meetings they had come to know and like one another. The seating had become unpatterned, the conversation more informal. Friendships had been formed. A greater mutual understanding had been achieved. Committee projects were being given unanimous committee approval and had been undertaken in joint effort. Now, in the fifth meeting, although gain was evident, there was a new coolness, a new sense of division.

Sense of Purpose

There remained, however, an underlying sense of purpose and confidence that the way to further gains lies in a continued dialogue between the judges, lawyers, editors, and broadcasters. That confidence and purpose burst again to the surface in the renewed affirmative approach of the recent sixth meeting. Out of the continuing dialogue of judges, lawyers, editors, broadcasters, law enforcement officers, and Institute staff may come a gradual merging of ideas that bodes well for court, press, and public. □

A Busy Schedule at the Institute of Government



Parking spaces were few and nearly every room filled on this busy day at the Institute.

A State Highway Patrol Basic Training Class Graduation

Commissioner A. Pilston Godwin of the Department of Motor Vehicles addresses the Patrol School graduates.

. . . The new troopers who graduated from the State Highway Patrol Basic School in exercises held at the Institute of Government on March 8.

Trooper James C. Minton presents a gift from the class to T/Sgt. G. A. Everington, Commandant of the Patrol School.

Interested families and friends of the new highway patrolmen attend the graduation ceremony.

A well-wisher shakes hands with a new member of the Patrol.

This day marks the satisfying end to 13 weeks of hard work in training for service with the State Highway Patrol, and the new troopers' families are happy to share in it.

Assistant Commissioner of Motor Vehicles Joseph Garrett, Institute Director John L. Sanders, and Colonel Charles Speed of the Highway Patrol congratulate Trooper James C. Minton, who was selected to make the response for the class.

The *May* Calendar

SCHOOLS AND CONFERENCES

Dept. of Motor Vehicles Theft School	May 1-5
Probation Officers	May 1-5
Local Government Reporting Seminar	May 5-6
Building Inspection Course*	May 5-6
Coroners and Medical Examiners' Seminar	May 8-12
Public Welfare Workers	May 8-12
Probation Officers	May 8-9
Highway Department Pre-Retirement Seminar	May 15-16
Municipal and County Administration*	May 17-20
Department of Motor Vehicles Driver Education	May 22-26
Highway Patrol Basic School	May 22-Aug. 26
Public Housing Conference	May 25
Bench-Bar-Press-Broadcasters Committee	May 27
Training Impact Project*	May 29-31
Waste Treatment Operation School	May 29-June 2

*Enrollment closed; course already in session.

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