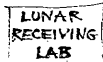


NEWS and REVIEW

Law graduates and their people-awareness

The WEEK in REVIEW

THE most dramatic news of the week came in pictures — breathtakingly clear color shots brought back from the moon by the Apollo 11 astronauts. The first photographs released this week by the National Aeronautics and Space Administration were taken through the window of the lunar module after Neil A. Armstrong and Edwin “Buzz” Aldrin had completed their walk on the moon. They showed the stars and stripes flying from a pole stuck in the lunar crust and surrounded by the footprints of the first men to step on the moon. And while ordinary people marvelled at the pictures, scientists at the lunar receiving laboratory in Houston began the examination of the moon rocks and soil brought back to Earth by the astronauts. Even the preliminary observations of the moon material strengthened some scientific theories and forced a re-examination of others. Some of the moon stones resemble rocks found near the craters of volcanoes on earth, leading Nobel Prize winner Harold C. Urey to announce that he would have to take another look at his theory that the moon is geologically dead. Similarities between moon minerals and those found on Earth gave support to the theory that the Earth and the moon had a common origin. As the Apollo flight brought the answer to some ancient mysteries about the moon, the Mariner 6 spacecraft swept to within 2,000 miles of the surface of Mars, sending back to Earth the closest pictures ever taken. The initial reaction of scientists was that the Mars pictures raised as many questions as they answered.



Farmers militant

Some of Canada's farmers sought a militant new voice to press their claim for a larger share of the nation's wealth. At a convention in Winnipeg, they founded a new National Farmers Union. As president, they chose Roy Atkinson, of Saskatoon. Mr. Atkinson had organized the rally of disgruntled farmers in Regina at which Prime Minister Trudeau had been pelted with wheat and insulted with abusive signs. Mr. Atkinson said he deplored the insults but supported the farmers' protests. There were 1,600 delegates at the Winnipeg convention, but the union represents only a small minority of Canada's farmers.

Gaspé's hippies

Businessmen in Percé, one of Quebec's most picturesque spots, lost their cool over the influx of young people who were, they figured, bad for the tourist trade. When the so-called hippies refused to obey a town order to leave, two-score men were sworn in to the two-man police department and cut loose with fire hoses. QPP provided protection for the hippies' evacuation. But the hippies returned to their base. There was an uneasy standoff, and no more vigilante-type action, as the weekend approached.

The OAS succeeds

The bloody conflict between El Salvador and Honduras was over. Salvadoran troops had withdrawn to their own border, accepting orders from the Organization of American States whose own future effectiveness was in the balance for several days. At that, arranging cessation of hostilities was considered far less difficult than solving the root problems leading to the bitterness between the two nations.

Montreal finance

By HERBERT MARX

MISS HILLARY RODHAM, the 1969 valedictorian at prestigious Wellesley College, was catapulted into national prominence for severely criticizing as “empty rhetoric” the official commencement address of Senator Edward W. Brooke.

Subsequently interviewed as to her future career, she said that she would enter the Yale Law School this fall. She was quoted as saying, however, that she “is not interested in corporate law” — that “life is too short to spend it on making money for some big anonymous firm.” She is more interested in dealing with “people” than with “corporations.”

Miss Rodham is typical of many American students. As a graduate student at the Harvard Law School during the past year, I was somewhat surprised by this idealism (or is it realism?) amongst law students — an idealism that often is not discernible north of the border.

As concerns this idealism, the Harvard law graduate, Meldon E. Levine, reminded educators and parents at the 1969 Harvard Commencement, that: “We have been asking for no more than what you have taught us was right, the values you have taught us to cherish. We cannot understand why you have been offended... We are asking that you allow us to realize the very values which you have held forth. And we think you should be with us in our quest.”

Generally the same concerns are evident among Canadian students. They too are interested in promoting improvements in society. However, whereas the fledgling American lawyer generally has the opportunity to work for such improvement within the bounds of his future profession, his Canadian, or more particularly, his Montreal counterpart lacks this opportunity to work for social improvements within the confines of his professional training.

One of the quests Mr. Levine was talking about is to find solutions to the social problems haunting the United States. For the law student, relevant

Quebec welfare: Wasteland of broken hopes

A day a week away from corporate law

Legal aid clinics will be expanded

Plans outlined

Bar president: Young lawyers are not pulling their weight

Students blast poverty panel

Work among poor

Underprivileged set to organize



The Nixon tour

President Nixon, visiting Thailand and Viet Nam, made statements which distressed Americans who had thought a new and enlightened policy regarding Asia had been enunciated a week earlier. "The United States," he declared in Bangkok, "will stand proudly with Thailand against those who might threaten it from abroad or from within." Presidential aides quickly assured U.S. reporters that this was not in contradiction to Mr. Nixon's pledge in Guam to avoid future Viet Nams. In Viet Nam itself, the president said he thought the war effort there may go down in history as "one of America's finest hours." This prompted the New York Times to ask: "If Mr. Nixon really believes the Viet Nam war represents the United States at its best, how credible is his promise of no more Viet Nams?"

Cabinet shuffle?

With Parliament finally out of the way, the cabinet got down this week to a series of meetings aimed at producing decisions on ticklish policy questions before ministers go off for their August holidays. There were reports, too, that Prime Minister Trudeau was preparing for a cabinet shuffle, perhaps to replace Mitchell Sharp as minister of external affairs. It had been rumored for months that Mr. Sharp would be retiring from the cabinet some time this fall but the rumors never have been confirmed. Privy Council President Donald Macdonald, who ran the bitter leaks debate for the government and thereby made a host of enemies in the opposition, was reported about to be shifted to a less exposed portfolio.

Pope in Africa

Pope Paul landed on the shore of Lake Victoria in Uganda to attend a conference of 41 cardinals, archbishops and bishops discussing methods of communicating with each other. But in this first visit to Africa by a Pope from Rome, it quickly became apparent that political rather than religious issues would dominate. The Pope was regarded as a possible mediator in the Nigerian civil war, and a Vatican official said he would be prepared to extend his stay beyond the scheduled 52 hours if this would help.

ing cessation of hostilities was considered far less difficult than solving the root problems leading to the bitterness between the two nations.

Montreal finance

Chairman Saulnier happily reported the city to be in excellent financial condition. Montreal had won its point with Quebec over the sales tax and provincial grants therefrom exceeded budget estimates. There had, of course, been a special property tax assessment to compensate for disappointing lottery revenues (a net of about \$6,000,000), but when the books closed on the fiscal year, there was a surplus of \$2,440,671.

UN under fire

A Swedish member of the UN observation team on the Suez Canal was killed by artillery fire, prompting Secretary General U Thant to warn again that the breakdown of the cease-fire in the Middle East was "a development of the utmost seriousness" for world peace. Al Fatah, the Arab guerrilla organization, said that UN observers must be regarded as enemies, since they stand in the way of the "liberation of Palestine."

Dangerous guns

Pointing out that ownership of guns has proliferated to such an extent that half the households in the United States own at least one firearm, the National Commission on the Causes and Prevention of Violence urged drastic steps to get weapons out of the hands of people. It called for a program of buying back handguns from citizens who can't prove they have a need for them. Meanwhile, in the Senate, there were moves to weaken the gun control laws that are on the books.

Kennedy in and out

Senator Edward M. Kennedy, "grateful to the people of Massachusetts for their expression of confidence," decided to stay in the U.S. Senate and keep his post as Democratic whip. But he also announced he would not be standing as a Democratic candidate for the 1972 presidential elections.

Montreal weather

Last weekend started with a bang as thunderstorms deposited a half inch of rain on Friday night and then three-quarters of an inch on Saturday. Precipitation continued as a daily feature until Wednesday with again more than half an inch accumulating on Monday. On Friday afternoon, a violent squall accompanied by half stones the size of golfballs, led to the death of one man, injuries to five persons and untold damage to homes, automobiles and trees in the northern section of the island. Afternoon temperatures were cool last weekend but rose to the seasonable low eighties by Monday. They continued at this level for the rest of the week.

Obituary

Frank Loessor, composer of such Broadway hits as "Guys and Dolls" and "Where's Charley?" died in New York at 59.

Arseny G. Sverev, finance minister of the Soviet Union from 1938 to 1960, died at 69.

work for social improvements within the confines of his professional training.

One of the quests Mr. Levine was talking about is to find solutions to the social problems haunting the United States. For the law student, relevant studies mean the study of what is called poverty or urban law.

It was not really until the 1960s that American law schools became conscious of this field of law—by instituting new law courses or by re-orientating existing courses. Urban law deals with such subjects as welfare, landlord and tenant relations, public housing, consumer protection, and urban renewal.

The difference

It was reported this winter that large New York law offices which recruit third-year law students are having difficulties obtaining a sufficient number of prospective lawyers at \$15,000 per year, and that beginning salaries had risen to as high as \$18,000. As well, some Wall Street offices are giving lawyers time off (perhaps an afternoon per week) to work in poverty or urban law.

Comparative Montreal salaries, for students who have been admitted to the Bar and who have accepted positions with larger offices, are in the neighbourhood of \$7,000 — without "time off."

It is not competitive bidding by law offices in New York that has pushed up starting salaries. Rather, it is against other interests that law offices are competing. Law students who want to help change America will not find socially-relevant work in the large New York legal offices which specialize in corporate work.

VISTA (Volunteers in Service to America), the domestic Peace Corps comparable to the Company of Young Canadians, has had 865 applications from graduating law students or about five per cent of the total graduating from law schools this year.

As part of his training, the Harvard law student is offered a myriad of extracurricular, socially-relevant activities. The Harvard Legal Aid Bureau offers a legal aid to the destitute while affording the student an opportunity to deal with real cases rather than with textbook examples.

In criminal law, the Harvard Voluntary Defenders permits students to represent indigents in criminal cases before the courts. The Civil Rights-Civil Liberties Research Committee is concerned with civil rights, civil liberties and poverty law. A subsidiary group of this Committee deals with problems concerning the draft and other aspects of the Vietnam War.

As well, the Harvard Student District Attorney Project provides students with experience as prosecutors in criminal cases. There also is the Community Legal Assistance Office in Cambridge, opened in 1966, which popularly is known as CLAO. It should be noted that similar activities are offered at many other American law schools.

CLAO work

I would like to focus on the activities of CLAO for two reasons: first, because its work makes it somewhat different from traditional legal aid offices, and second, because something similar

would perhaps be desirable in Montreal.

Basically, CLAO is a law office serving indigent clients in and around Cambridge, Massachusetts. Technically, however, it is a "research and demonstration project" sponsored by the Harvard Law School under the Federal Economic and Opportunity Act, and funded primarily by the Federal Office of Economic Opportunity.

This office has funded similar programs elsewhere in the United States. Also, it should be borne in mind that there are other legal aid offices besides CLAO in the Boston area.

Approximately 150 students were involved in CLAO this year. It is also staffed by five fulltime attorneys. CLAO attempts to bring the concepts of poverty law to the students; it is comparable to the internship that doctors must follow before setting out to practice medicine.

CLAO has four objects: (1) serving indigent clients; (2) educating the community about legal rights and obligations; (3) educating students, clergy and social workers about legal problems of the poor; and, (4) considering related research.

Of particular significance are CLAO's efforts in making tenant groups and welfare recipients aware of their legal rights, giving legal counselling to citizen groups, and fostering and encouraging community control in poor areas. That is, CLAO assists movements and programs which will increase the influence of residents in poor neighbourhoods. This work, of course, has political significance.

Many individuals have been represented by CLAO. For example, a family of husband, wife and eight children who were without adequate heating, had a new furnace installed by their landlord after legal action was instituted by CLAO. This legal aid office also has represented half a dozen Cambridge public housing tenants' councils. Two important housing statutes drafted by and sponsored by CLAO were passed into law by Massachusetts. As well, it has served as legal counsel to a citizens' group desiring to give control of a federally-financed Model Cities Program to those residents that would be most affected by the program.

Local aid

In Montreal, an indigent can obtain legal assistance from the legal aid office operated by the Bar of Montreal. There is only one office which is located down town — there are no legal aid offices spread out throughout Montreal. Funding for this office primarily is by the provincial government. The legal aid offered by this office is of the traditional kind, such as aid in separation suits and the defense of those charged with a criminal offence.

The Confederation of National Trade Unions has organized in Montreal, and

elsewhere in the province, Les associations coopératives d'économie familiale du Québec.

In its legal operations, this association does not compete with the legal aid office of the Bar, but rather works in areas not covered by other organizations. Particularly, it is concerned with consumer protection as it is affected by businesses and finance companies. The legal arm of this association has won a large number of cases in court — precedents which should extend some legal protection to consumers.

As well, this association hopes to influence various levels of government to change existing laws in line with modern requirements of consumer protection.

However, there is no organization in Montreal that will give legal assistance to citizen groups that want to "fight City Hall" — or whoever else it is necessary to fight for group social improvements. As to individual indigents, why should there not be a number of legal aid offices in various parts of the city? And what about non-indigents, citizens who seek help in understanding the law?

As a resident in the Brighton section of Boston, I was able to obtain, without charge, information as to the tax escalation clause in my lease from the local legal assistance office. When the 36 tenants in our apartment complex formed a Tenant Board to press for improved heating and garbage collection, hot water at all times and better lighting in public areas, the Brighton Legal Assistance Office afforded us free legal services. And not one of us was a so-called indigent. Our Tenant Board obtained quick landlord reaction in the way of improvements, whereas individual tenant complaints had gone unheeded for months.

To whom could tenants of Notre Dame de Grace or Outremont or St. Henri turn for legal assistance?

Why move alone?

Our political leaders often hold forth on how important it is for citizens to take part in civic, provincial or federal affairs. A businessman hardly ever moves without consulting his lawyer when there is a possibility that legal issues are involved. Citizen groups should not be expected to do otherwise.

Legal information is indispensable to these groups — whether it is to challenge urban renewal or welfare injustices, or even for the more fundamental purpose of setting up a citizens' organization. A legal assistance office along the lines of CLAO would help involve many citizens in the political-administrative process.

The Quebec student hoping to be admitted to the Bar must, as part of his legal training, work as an apprentice in a law office during his fourth year of studies. This fourth year consists, as

well, of following a course of study prescribed and administered by the Bar, after the student has obtained a law degree. As a law clerk, he generally will do research, file writs and other documents at court, look after collections, and perhaps contest motions at court.

He even may help with a legal aid case assigned to a lawyer in his office; most frequently this has meant a separation case. Most students are not enthused by their apprenticeship, much less by their salary, which usually is in the neighbourhood of \$175 to \$300 per month. Students complain, also, about the difficulty of finding an office in which to work.

The opportunity for law students in Montreal to get involved in legal work aiding the poor and disadvantaged to better their lot is almost negligible. Some students do work at the Bar's legal aid office, which would be the only outlet for this type of activity.

Unquestionably, the work of the legal aid office of the Bar and of such organizations as Les associations coopératives d'économie familiale du Québec is both necessary and useful. The recent recommendations of the Prévost Commission as to the administration of criminal justice has set laudatory objectives.

Yet, there is not only room but a need in Montreal for a CLAO-type legal aid office. There is a need in the community as well as a need among law students who should have a voice in the objectives and administration of such an office.

For those in our community who are economically, socially and politically in an inferior position, the need is obvious. For students, it would be a useful experience in becoming sensitive to the legal needs and problems of those who live on the "other side of the tracks". It would also open up opportunities for students who are not interested in the traditional apprenticeship in the law.

Furthermore, students in other disciplines, such as sociology, social work or criminology may be interested in providing their expertise to such a legal aid office.

The establishment of a new type of legal assistance office in Montreal presupposes surmounting many difficulties, not the least of which is funding. But we can be certain that the interest south of the border among law students in poverty or urban law will spread north. Almost everything eventually does.

An opportunity for students to participate in this relatively new area of law should be provided — because it is socially desirable, because it would be socially useful.

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