

The Reporter

OF PHI ALPHA DELTA



ST. MARY'S UNIVERSITY — Shown above is the beautiful facility of the law school at St. Mary's University, home of John Nance Garner Chapter, one of PAD'S newest chapters.

\$20,000.00 IN
SCHOLARSHIP
AWARDS ANNOUNCED

FEBRUARY, 1971

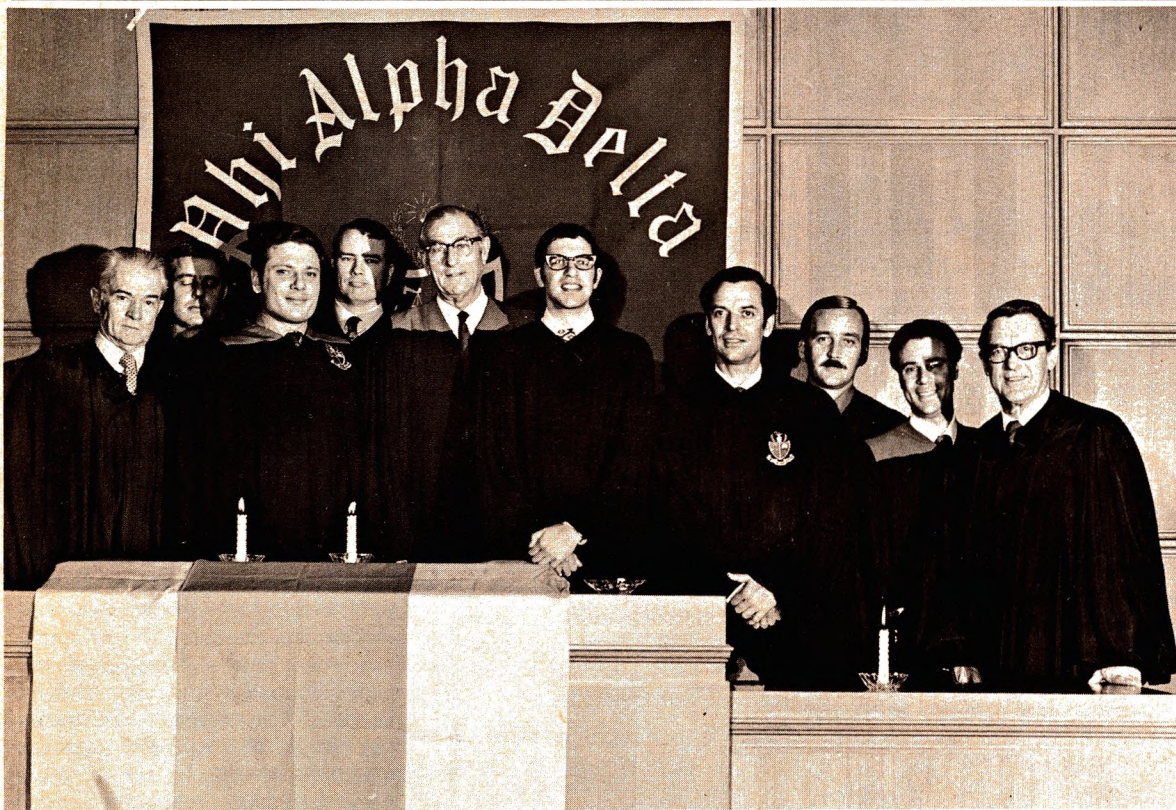


The Reporter



Official Publication of Phi Alpha Delta Law Fraternity, International — February, 1971

C-84



SAMMIS CHAPTER INSTALLATION TEAM — Shown above are members of the Arthur Sammis Chapter Installation Team. Left to right: Professor John M. Coleman; Ross Chapter Justice Byron Bilyeu; McKenna Chapter Vice Justice Kenneth Cirlin; Rick Chapman, Justice McCormick Chapter; Past Supreme Justice Henry C. Rohr; Ford Chapter Justice Jeffrey L. Gunther; Professor Robert Mennell, Southwestern University School of Law; Norman Owen, Justice Beaumont Chapter; District Justice Kenneth L. Chotiner; and Associate Tribune William Frank Worthington.

Arthur Sammis Chapter Installed at Southwestern U.

On Saturday, December 5, 1970, a group of 46 men and women were initiated and installed as the Arthur Sammis Chapter of Phi Alpha Delta Law Fraternity, International, at Southwestern University School of Law in Los Angeles, California. The petitioning group were members of Sigma Lambda Sigma, a local law fraternity which was the only law fraternity in existence at this law school for many years. Included in the petitioning group was the Student Bar Association President and other student leaders of the law school.

The initiation and installation took place in the Los Angeles Superior Courtroom of Brother Judge Arthur K. Marshall. Presiding at the installation was Past Supreme Justice Henry C. Rohr, who was capably assisted by National Officers Supreme Vice Justice Sandy Rae and Associate Tribune

William Frank Worthington.

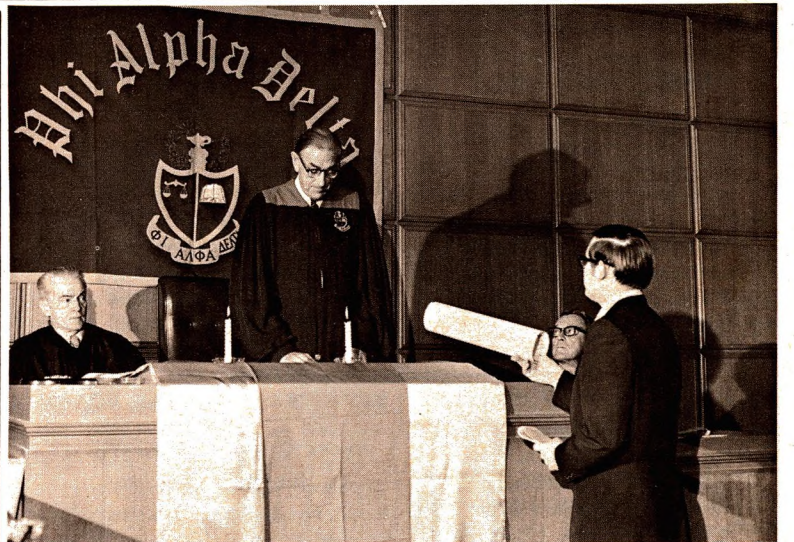
The initiation team was made up of District Justice Kenneth Lee Chotiner, McCormick Chapter Justice Rick Chapman, Beaumont Chapter Justice Norman Owen, Ross Chapter Justice Byron L. Bilyeu, Ford Chapter Justice Jeffrey L. Gunther, and McKenna

Chapter Vice Justice Kenneth Cirlin. Alumni participating were Professors Robert L. Mennell and John M. Coleman, and Los Angeles Alumni Chapter Officer Wayne Veatch.

Southwestern University School of Law was established in 1911 as an evening law school. However, it presently sustains both a day and evening enrollment with a total of 750 students. It is a non-profit, non-sectarian institution which received accreditation from the California State Bar Association in 1970. It occupies a ten story building at 1121 South Hill Street in downtown Los Angeles.

Charter Chapter Officers are: Steve Hoover, Justice; Emilio Gurlola, Vice Justice; Stackley Harrel, Jr., Clerk; Richard Saavedra, Treasurer; and Louis V. Aguilar, Marshal.

(Continued on Page 7)



PRESENTATION OF CHARTER — Past Supreme Justice Henry C. Rohr presents the official active chapter charter of Arthur Sammis Chapter to Charter Justice Steve Hoover. Looking on are Professor John M. Coleman of Southwestern University and Associate Tribune William Frank Worthington.



A SUMPTUOUS BUFFET and cocktail hour followed the installation of Arthur Sammis Chapter.

You are invited to PAD Day at the Supreme Court

The 1971 annual PAD Day at the United States Supreme Court will be held Monday, June 7, 1971. Eligible members of the Fraternity will be admitted as attorneys and counselors of the United States Supreme Court at the special ceremonies which have become an annual event for the past several years.

Under the rules governing admission to practice before the Court, the number of members who can be admitted in the PAD ceremonies has been limited to 75. Therefore, the first 75 members whose applications are submitted to the Executive Office in proper form will comprise the admission group.

It should also be noted that absolutely no applications can be accepted later than May 24, 1971.

The qualifications for admission to practice before the Court is good standing at the Bar of the highest State, Territory, District, Commonwealth or Possession of the United States for at least three years.

Following the admission ceremonies will be a social hour and luncheon in honor of the admittees. PADs who are Associate Justices of the United States Supreme Court have been invited to attend.

Any eligible Brother interested in being admitted to practice before the United States Supreme Court on June 7, 1971, may obtain an application form from the Executive Director by submitting this form:

Phi Alpha Delta Law Fraternity
10722 White Oak Avenue
Granada Hills, California 91344

Please send me immediately an application form for admission to practice before the United States Supreme Court and full details on PAD Day At The U.S. Supreme Court.

Name

Address

Zip Code



INSTALLATION TEAM AND NEW MEMBERS of Arthur Sammis Chapter at Southwestern University pose for The Reporter.

THE REPORTER

FREDRICK J. WEITKAMP, EDITOR
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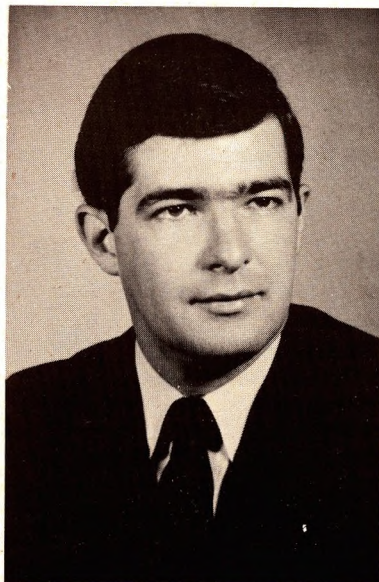
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Ladson Hart Appointed District XVI Justice

Ladson F. Hart has been appointed to the position of District Justice of District XVI. Hart was appointed to fill the position formerly held by Charles H. Taylor who was elected Supreme Marshal on the Supreme Executive Board at the 1970 Convention.



LADSON HART

Brother Hart received his B.A. in Political Science at North Carolina State University and his J.D. from Wake Forest University School of Law where he became a member of Timberlake Chapter.

Brother Hart is presently employed as a Staff Attorney in North Carolina State Attorney General's Office, Highway Division, as a trial attorney. The area of activity includes right of way condemnation, workman's compensation, tort claims, among others at trial level, along with both civil and criminal appellate work.

He is a member of the North Carolina State Bar, North Carolina State Bar Association, and Buncombe County Bar Association. He resides in Brevard, North Carolina, with his wife Jean.

Markus Is Youngest Pres. of ATLA

Brother Richard M. Markus, who is now serving as President of The American Trial Lawyers Association, is the youngest President in the history of the Association.

He is a graduate of Northwestern University and Harvard University Law School and has served as Professor of Law at Cleveland-Marshall Law since 1960.

He is well known as the author of various legal articles and has held virtually every office in the American Trial Lawyers Association.

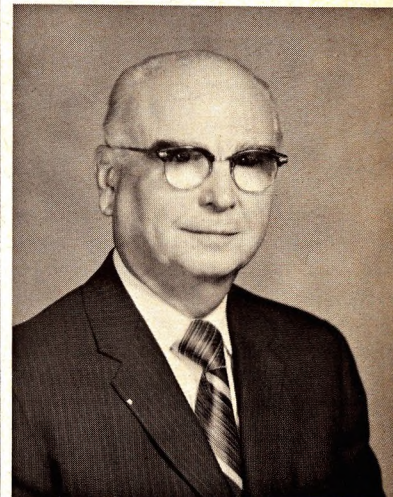
Message from the Supreme Justice

This is the season of Conclaves. Although a few have been held, most are now in the final planning stage. Much effort and time is expended by the Conclave Officers in providing a worthwhile program. Our past experience has been that those who attend uniformly report that they have had an informative and rewarding experience. Their full success is determined by how much the membership at large is made aware of the action taken and accomplishments at the Conclave. I urge that actives and delegates make appropriate arrangements for communicating full report of the assembly's doings.

On the National scene interim committees are at work. Activity of the regular committees is present and additional areas of study as directed by the last Convention are under way. These concern scholarship and fellowship awards, loan program, student representation, intern clerkships, tutorial program, academic articles for the Reporter and many others. Each committee has at least one student member. Helpful reports for future Supreme Board or Convention action appears to be assured.

Expansion continues at a satisfactory rate. Recent installations have been Garner Chapter at St. Mary's University School of Law at San Antonio, Texas and Sammis Chapter at Southwestern University School of Law at Los Angeles, California. Another petition for Charter has been received. Two other colonization groups are in progress. All this is indicative of the desire of newly formed groups to become associated as a part of the world's foremost law fraternity.

More important than increase in Chapter numbers is the maintenance



HON. ALEX A. HOTCHKISS

nance of our membership. By the natural workings of the law school process we lose from active chapter membership by graduation, approximately one-third of our members each year. These must annually be replaced by the rushing process. With enlarged enrollments they should be increased. Rushing and replacement is not a term opening activity but a year-round function. I urge your continuous attention to this important essential.

In order to maintain our vitality it is not only important that we increase in numbers, but also in ideas. All of us in official responsibility would welcome at any time your suggestion as to professional programs which may add to the effective accomplishment of our organization's purpose.

Fraternally,
ALEX A. HOTCHKISS
Supreme Justice

Central Ohio Alumni Chapter Revived

Graduates of Hayes Chapter at Franklin Law School who desire to retain the fraternal relationship established with members of their class have revived the Central Ohio Alumni Chapter.

The theme of the Alumni Chapter is service to the student chapter. The Alumni Chapter will serve as co-host with Hayes Chapter for the annual District X Conclave to be held in Columbus this spring.

The alumni group has planned several social events for the coming year including an annual golf-picnic outing with Hayes Chapter.

Current officers of the alumni chapter are: Lawrence A. Singer, Justice; James E. Dodd, Jr., Vice Justice; Nicholas A. Pittner, Clerk; Gerald Portugal, Treasurer; and Jonathan W. Marshall, Marshal.

Initiation Fee Increase Not Effective Yet

All chapters are reminded that the action taken by the 1970 Convention to increase the active member initiation fee from \$25.00 to \$30.00 does not become effective until August 1, 1971.

Several chapters have erroneously submitted fees in the increased amount.

District Justices

District I	J. A. Zimmerman, Jr. 1008 Olympic Life Bldg. Seattle, Washington 98014	Washington, Oregon, Montana, Idaho
District II	J. Michael Brown 616 Central Bldg. Oakland, Calif. 94612	Nevada and that portion of California lying north of the Tehachapi Mountains
District III	Kenneth L. Chotiner 131 Gretna Green Way Los Angeles, Calif. 90049	Arizona and that portion of California lying south of the Tehachapi Mountains
District IV	James Milliken Box 271 St. Francis, Kansas 67756	New Mexico, Colorado, Utah, Wyoming and Kansas
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District XIII	William C. Carey 39 Stanley Ave. Nutley, N.J. 07110	Connecticut, New York City and Northern New Jersey
District XIV	Allan McClain 1500 Oliver Bldg. Pittsburgh, Pa. 15222	West Virginia, Pennsylvania, Delaware and Southern New Jersey
District XV	Dan D. Halpin 1400 S. Edgewood St. Apt. 521 Arlington, Va. 22204	Maryland, Virginia and the District of Columbia
District XVI	Ladson Hart 303 Park Ave. Brevard, N. C. 28712	North Carolina, South Carolina and Georgia
District XVII	Marvin I. Moss 2040 N.E. 163rd St., Suite 302 N. Miami Beach, Fla. 33162	Florida and Puerto Rico



CHIEF JUSTICE EDWIN ROBSON RECEIVES PLAQUE — On October 20, 1970, Chief Judge Edwin Robson of the United States District Court was presented a plaque by the Chicago Alumni Chapter in recognition of his outstanding contributions to the Bench and Bar. Shown above left to right: Hon. Daniel P. Ward, Justice, Supreme Court of Illinois; Hon. Caswell J. Crebs, Justice, Supreme Court of Illinois; Tom King, Clerk, Chicago Alumni Chapter; Don Veverka, Justice, Chicago Alumni Chapter; Judge Robson; Past Supreme Justice Anthony A. DiGrazia; and Hon. Luther M. Swigert, 7th United States Court of Appeals.



INSTALLATION PARTICIPANTS — Participating in the installation of John Nance Garner Chapter at St. Mary's University School of Law in San Antonio, Texas, were left to right: Chapter Treasurer Donald Wright, District Justice John F. Nichols, Chapter Justice Curtis Frisbie, Jr., Alumni Advisor Ben F. Foster, Jr., Supreme Justice Alex A. Hotchkiss, District Conclave Clerk Wayne Prostri, Chapter Vice Justice P. B. Hedblom, Samuel Houston Chapter Justice Harrison Gregg, Chapter Clerk Francis Ferro and Chapter Marshal Bill Lawlor.

Garner Chapter Charter Presented to St. Mary's U.

On November 8, 1970, the John Nance Garner Chapter of Phi Alpha Delta Law Fraternity was formally chartered at St. Mary's University Law School, San Antonio, Texas, becoming the latest addition to the growing realms of District VII and Phi Alpha Delta International.

The St. Mary's University School of Law is an outgrowth and development of the San Antonio School of Law, established in 1927. In 1934, St. Mary's University officially assumed control. In February of 1945, the School of Law was placed on the list of schools approved by the American Bar Association; and in December of 1949 it was admitted to membership in the Association of American Law Schools. The School of Law was formerly located in downtown San Antonio, but moved into new facilities on the Woodlawn Campus of St. Mary's University in the Spring of 1968. The student body representation is national in scope and present enrollment is 470 students.

Two national law fraternities have previously been represented at St. Mary's, Phi Delta Phi and Delta Theta Phi; but because of the recent expansion of the student body it was felt that the Phi Alpha Delta should take action to establish a new Chapter to afford competition, leadership and service to the school. Under the guidance of Mr. Ben F. Foster, Jr., Past Justice at the R.E.B. Baylor Chapter and presently a labor law attorney in San Antonio, Texas, sixteen charter members combined to form the nucleus of the new Chapter. The sixteen original petitioners were: Nelson Atwell, Patrick E. Clark, Francis E. Ferro, Charles P. Fincher, Curtis L. Frisbie, Peter B. Hedblom, William F. Lawlor, Stephen J. Lynch, Raymond B. McCoy, Allen J. Rich, Paul D. Rich, Louis Rodriguez, Louis T. Rosenberg, George C. Schoemaker, Roger T. Storey and Donald L. Wright.

During the fall rush period an additional sixteen members became associates in the new organization.

The formal initiation proceedings were officiated by Phi Alpha Delta Supreme Justice, Hon. Alex A. Hotchkiss. The initiation team was also composed of District VII Justice, John F. Nichols; District Clerk, Wayne Prostri; Harrison Gregg, Justice of Samuel Houston Chapter of So. Texas College of Law, Houston, Texas; and Mr. Ben F. Foster, Jr. Alumni and Faculty Advisor. After the formal proceeding in the Bexar County Courthouse, the new members, wives, guests, alumni and installation team were present at a banquet given in honor of the new Chapter. Honorable Alex A. Hotchkiss was the main speaker and comments were added by Justice Curtis Frisbie regarding the purpose and future of the John Nance Garner Chapter and Phi Alpha Delta.

The name of John Nance Garner was selected as the Chapter name in honor of the former Vice President of the United States. John Garner was born in Texas in 1868 and attended John Marshall College of Law and Baylor University. He was admitted to the Bar in 1890 and began his congressional career with the 58th Congress and served until the 73rd Congress. He was elected Vice President of the United States in 1932 and re-elected in 1936. The former Vice President died November 7, 1967, in Uvalde, Texas. John Garner is admired in his home state of Texas because of his vast political, social and legal contributions.

Ohio C.J. to Receive PAD Award

Salvatore LoPresti, Justice of the Phi Alpha Delta Law Fraternity will take the pleasure of presenting the 1970 Phi Alpha Delta Law Fraternity Man of the Year Award to Chief Justice, Supreme Court of Ohio, C. William O'Neill for his tremendous Civic and Judicial contributions to the state of Ohio.

Chief Justice O'Neill was born February 14, 1916 in Marietta, Ohio and married Betty Hewson also of Marietta on July 29, 1945. He is the father of two daughters, Dubby, twenty-four and Peggy, age twenty. A graduate of Ohio State University Law School in 1942, he was the youngest person to serve as Attorney General of Ohio at age thirty-four. He was elected Governor of Ohio at forty and was appointed Chief Justice of the Supreme Court of Ohio by Governor Rhodes on April 4, 1970.

Members of Phi Alpha Delta Law Fraternity and faculty members of Cleveland Marshall College of Law will be present at the award banquet which will be held on February 13th in the Theatrical Restaurant located at 711 Vincent Street, downtown Cleveland. A 7:30 cocktail hour will begin the annual banquet dinner with presentation of the 1970 Phi Alpha Delta Man of the Year Award immediately following.

Jeffrey A. Rich, Legislative Assistant to Governor John J. Gilligan, and Theodore Klammer, Lake County Assistant Prosecutor, will receive the Phi Alpha Delta Outstanding Senior Awards. Both Mr. Rich and Mr. Klammer are June 1970 graduates of Cleveland Marshall College of Law.

1971-72 Scholarship Competition Announced

\$20,000.00 In Scholarships To Be Given

The Supreme Executive Board is pleased to announce that this year the number of Scholarships to be awarded to active chapter members has been doubled. Thus, forty \$500.00 scholarships will be awarded to student members throughout the United States, Canada and Puerto Rico.

The 1971-72 competition is now underway and applications have been mailed to all active chapters.

The competition has been modified as to the number of applications each chapter may submit. Chapters up to 25 in active membership may submit one application; chapters with a membership of 26 to 50 may submit two applications; and chapters with an active membership in excess of 50 may submit three applications. The number of active members in the chapter is predicated upon the April 15 report to the Executive Office.

Any member of an active chapter who will be a senior during the school year 1971-72 is eligible to make application for the Scholarship Competition. Any member interested should consult his Chapter Justice for rules and application forms.

Principal criteria utilized in selecting winners are those of scholarship, need, service to the Fraternity and leadership in the law school.

The timing for the competition this year is as follows:

May 31, 1971 — All individual applications are to be submitted to the chapter faculty advisor.

June 30, 1971 — The faculty advisor is to certify the winning applications to the Supreme Tribunal via the Executive Office.

September 1, 1971—The Supreme Tribunal will announce the forty award winners.

and participation in Forensics and in the Drama Club. She entered Missouri University Law School in 1969, and as a first-year student served on the Law School Board of Governors. In addition, Miss Reby is an Associate Justice of the Judicial Court of the University of Missouri, and as a second-year student intends to graduate from law school in June 1972.

Miss Karen Marie Iverson, a resident of Columbia, Missouri, was elected Vice Justice for Professional Affairs. She received her B.A. degree in the Humanities from Stephens College, Columbia, Missouri, in 1968. Among her undergraduate activities were participation on the Stephens yearbook and newspaper, in addition to membership in Who's Who Among Students in American Universities and Colleges. Miss Iverson began Missouri University Law School in 1969, and as a second-year student has been selected as a Moot Court Finalist to argue on Law Day this spring. Of particular interest to her colleagues is the fact that in December, Miss Iverson married a fraternity brother, Milton E. Harper, a 1970 graduate of the Missouri University Law School, now practicing law in Columbia.



RACHEL REBY

Women Head Lawson Chapter

The Lawson Chapter of Phi Alpha Delta, located at the University of Missouri in Columbia, Missouri, held a scheduled election of officers in December, resulting in a showing of support for Phi Alpha Delta's recent amendment enabling women law students to become members of the fraternity. The Lawson Chapter has a membership of ninety-eight, eight of whom are women. The election saw two of these women voted into office by their colleagues.



KAREN HARPER

Miss Rachel Grace Reby of St. Louis, Missouri, was elected Justice of the Lawson Chapter. In 1969 she received her A.B. degree in English from Washington University in St. Louis. Her undergraduate activities included membership in Delta Phi Epsilon sorority,

Executive Office Help Wanted

The Supreme Executive Board announces that applications are now being accepted for the position of Assistant to the Executive Director of the Fraternity. Duties will include extensive travel to active chapters for approximately seven months of the year and assisting the Executive Director in the Executive Office in Granada Hills, California.

Applicants should preferably be recent law school graduates, single, have had experience as an active chapter officer, and be public relations minded.

Applications should be submitted in letter form together with a resume directly to the Executive Director, 10722 White Oak Avenue, Granada Hills, California 91344.



ASSOCIATES OF GARNER CHAPTER — Immediately after installation and presentation of its charter, John Nance Garner Chapter presented its first associate membership class shown above. **GROUP PICTURE** of members of John Nance Garner Chapter after installation.



LEGAL EDUCATORS TALK — Discussing matters of legal education at the PAD Reception at the December meeting of the American Association of Law Schools are, left to right: Millard Ruud, University of Texas and Consultant on legal education to the American Bar Association; Dean Charles W. Joiner, Wayne State University School of Law; and Professor Corwin W. Johnson, University of Texas.

300 Attend AALS Reception

On December 29, 1970, a group of some 300 PADs attended the annual reception at the annual meeting of the Association of American Law Schools held in Chicago, Illinois.

On hand to welcome those attending was Supreme Justice Alex Hotchkiss, Supreme Historian Frank Maloney and Chief Tribune Walter Ray Phillips.

Playing a prominent part in arrangements for the function were former University of Florida Law School Dean Frank E. Maloney, Chicago Alumni Chapter Justice Don Veverka, Peter L. Wolff and James J. M. Vaughan of the AALS Staff, and District Justice Garnet Fay.

The following is a partial list of those in attendance:

Alex Hotchkiss, Lyndon, Kansas; Frank Maloney, Vanderbilt Univ.; Walter Ray Phillips, Texas Tech.; Donal dJ. Veverka, Chicago, Ill.; Harry Bitner, Cornell Law School; George Skinner, Univ. of Arkansas; James Thomas, Univ. of Tulsa; Dean Richard B. Amandes, Texas Tech.; C. D. Bostick, Vanderbilt Univ.; Ed Wilson, Univ. of Tulsa; L. Ray Patterson, Vanderbilt Univ.; T. A. Lockyear, Loyola (Chicago); Robert Spector, Loyola (Chicago); Dean Walter A. Rafalko, New York Law School; John McAuliffe, Univ. of Windsor; Corwin Johnson, Univ. of Texas; Tom Willging, Univ. of Toledo; David Goshien, Cleveland Univ.; J. C. Smith, Texas Tech.; R. H. Stevenson, Valparaiso Univ.; J. William L. Caraway, Univ. of So. Dakota; John Finan, Akron Univ.; Richard Seeburger, Univ. of Pittsburgh; S. Houston Lay, Cal-Western Univ.; Elmer Million, Univ. of Oklahoma; Vincent C. Immel, St. Louis Univ.; Dean Murray L. Schwartz, U.C.L.A.; Mary Vest, Florida; John A. Bauman, U.C.L.A.; Richard Dillon, Stetson University; Wm. W. Lancaster, Jr., Univ. of Arkansas; Dean James P. Wythe, William & Mary College; Marcel Garsaud, Loyola Univ. (New Orleans); Sandy Hendrick, Univ. of Arkansas; James M. Brown, George Washington Univ.; Eliot A. Landau, Drake Univ.; Jim Spears, Univ. of Arkansas, Little Rock Div.; John S. Beasley, Vanderbilt Univ.; Frederick K. Spies, Univ. of Arkansas, Fayetteville; John J. Irwin, Jr., Univ. of Arizona, Arnold Loewy, Univ. of North Carolina; Peter L. Wolff, AALS, R. S. Stubbs, AALS, Emory Univ.; Harriet Tonskemper, Milwaukee, Wisc.; ob Broughton, Duquesne Univ.; D. F. Adams, Univ. of Miss.; Dean Arthur A. Weeks, Cumberland School of Law; Earl A. Hagen, Milwaukee; Mel Dakin, L.S.U. Law School; Parham Williams, Univ. of Miss.; Bob Dixon, George Washington Univ.; Dean John Wade, Vanderbilt Univ.; State; Alfred W. Meyer, Valparaiso

G. W. Stengel, Univ. of Miss.; Roy Hunt, Univ. of Florida; L. J. Ritchie, Univ. of South Carolina; John F. Drac, Chicago Kent College of Law; Charles Nasem, Annandale, Va.

Others attending were:

J. R. Pierce, Univ. of Florida; Stanley B. Rosenfield, De Paul Univ.; Dean Douglas Heidenreich, William Mitchell College of Law; Jim Walker, Indiana Univ., Indianapolis; James Dente, William Mitchell College of Law; C. H. Foust, Indiana Univ., Indianapolis; Grant Morris, Wayne State Univ.; Millard H. Ruul, Consultant on Legal Ed. ABA; Robert Schmidt, Denver University; W. H. Baker, De Paul Univ.; Floyd Sherrod, Univ. of Georgia; Maurice B. Kirk, Texas Tech; Jack Groose, Salmon P. Chase College; Marty Huelsman, Salmon P. Chase College; Mary Oliver, Univ. of North Carolina; Dean Tom Christopher, Univ. of New Mexico; Cameron Allen, Rutgers Univ.; Wm. F. Zacharias, Chicago-Kent; Harry Laughran, Loyola (Los Angeles); Harold P. Green, George Washington Univ.; Dean Marvin J. Anderson, Hastings College of Law; Russell R. Reno, Univ. of Maryland; Terence Moore, McGeorge School of Law; Karl Krastin, Univ. of Toledo; Joe H. Munster, Jr., Hastings College of Law; John J. McAulay, Loyola Univ. (New Orleans); George P. Smith, Univ. of Arkansas; John Vafai, Rutgers Univ. (Newark); Paul Flynn, Drake Univ. A. E. Ryman, Jr., Drake Univ.; Timothy C. Blake, Univ. of Florida; Norm Netho, A B A;

John J. Hooker, Sr. Dies

John J. Hooker, Sr., a member of Hull Chapter and former District Justice, passed away recently. Brother Hooker was a Nashville attorney who served as a special government prosecutor in the jury tampering trial of Teamster's leader James Hoffa. Mr. Hooker joined Justice Department attorneys in the prosecution of Hoffa in his 1964 Chattanooga trial.

Brother Hooker was prominent in Tennessee as a criminal defense lawyer, and was active in Democratic politics in the state. His son, John J. Hooker, Jr., is a member of Lurton Chapter.

Garner Chapter Initiates Book Exchange

One of PAD's newest chapters, John Nance Garner Chapter at St. Mary's University, has initiated a book exchange which has met with outstanding success.

At the request of the Executive Office the chapter has outlined its new program to assist other chapters in establishing a similar book exchange and the outline is as follows:

The Dean allowed us a room to use during the three days of registration and for two days afterwards. We chose the locker room since it would be available after school started. The only materials needed are one table for doing business on, sufficient tables to hold the books, plenty of posters for advertising (that can be kept from year to year), a good supply of envelopes, some 3x5 cards, a 3x5 card file box and a change box large enough to hold envelopes.

The procedure is that a vendor brings his books to the PAD monitor at the head table. The advertising posters have explained the procedure ahead of time and have stated that vendors are to bring an envelope for each book. If the vendor does not bring an envelope we will provide one for \$.05. On the envelope the vendor places his name, the name of the book and then the envelope is placed inside the book and is then never separated from the book until the book is sold. The vendor lists on a 3x5 card all books he has turned in so we will know what we are charged with having.

The vendees can browse through the tables of books and select the desired books. He takes the selected books, with the envelopes in them, to the monitor's table. The monitor removes the envelope, notes the price desired on the envelope and then charges the buyer the exact price. If a check is given by a vendee it is made to the order of the vendor. The money is then placed in the envelope, the envelope sealed and filed in the change box. The monitor then locates the vendor's 3x5 card in the card-file box and scratches off the name of the book sold.

When the vendor comes by for payment the monitor can find his envelopes filed alphabetically in the change box and remove them. The vendor is given his money and at this time the fraternity can get its percentage charged for a handling fee. We charged 5% since the book store we have on campus charges 10%. It could actually be done free of charge if the chapter so desired.

Suggestions — Have students leave all other books out of the room to avoid disputes. Have sample 3x5 cards and sample envelopes placed on the advertising posters and near the monitor's table to facilitate the turning-in of books. Post prominently: (1) the courses being taught this semester, (2) the books required for each course, (3) a price list of the new books (Continued on Page 5)



AALS RECEPTION — Others at the PAD Reception included those above, left to right: Professor C. Dent Bostick, Vanderbilt University; Professor Walter Ray Phillips, Chief Tribune; and Dean Edgar H. Wilson, School of Law University of Tulsa.



MORE ATTENDING AALS MEETING — Left to right: Dean Albert R. Menard, University of Idaho; Professor Frank E. Maloney, Vanderbilt University, Supreme Historian; Supreme Justice Alex Hotchkiss; Kenneth Pye, Chancellor and former dean of School of Law Duke University; and Dean Joseph T. Sneed, School of Law Duke University.



A HAPPY GROUP AT AALS RECEPTION — Left to right: Professor Frank E. Maloney, Vanderbilt University and Supreme Historian; AALS Secretary Mary Vest; and Dean John D. Scarlett, Drake University School of Law.



OTHERS ATTENDING PAD RECEPTION AT AALS MEETING were left to right: Unidentified; Supreme Historian Frank E. Maloney; Supreme Justice Alex A. Hotchkiss; Jack Owens of Delta Theta Phi Law Fraternity; Don Veverka, Chicago Alumni Chapter Justice; District Justice Garnet Fay; and Tom King, Chicago Alumni Chapter.



NEW AND OLD OFFICERS OF RUTHERFORD B. HAYES Chapter at Franklin Law School of Capital University pose above for *The Reporter*. Back row, outgoing officers, from left to right: Gary Pizzedaz, Keith Dobbs, Dick Gross, Russ Steiner. Front row, incoming officers: Jim Hill, Mark Flanagan, Gene Weiss, Justice; Al Morgan and Bill Zapp.

BOOK EXCHANGE

(Continued from Page 4)

for comparison and, (4) a notice of a deadline by when all vendors must pick up unsold books and money.

Future Plans — All money from the PAD Book Exchange will go into a separate bank account from which it will eventually be returned to the students in the form of scholarships. In the present set-up money is earned two ways: (1) through a handling fee, and (2) by receiving \$.05 per envelope. We do not plan on making the major portion of our money through this means thought. We are working on getting the PAD Book Exchange a tax exempt status so we can accept donations on behalf of the PAD Book Exchange Scholarship Fund. The donations will be in the form of books. These books will come from graduating seniors. Their incentive to donate will be two-fold. First, it will be next to impossible for a graduating senior to sell the books he has on hand at the end of that semester because the courses he just took will not be taught in the up-coming semester. For those that will not be near the law school when the course is taught again it will be extremely difficult for him to get rid of his books. Secondly, we will give him a way to get rid of his books immediately upon graduation and he will be able to take a tax deduction for his contribution. Thus, we can sell the book the next semester and keep the entire proceeds of the sale for our fund. The value of books on hand at the end of the semester, bought new at the beginning of the semester, could range from \$30 to \$75 or even more.

Dean McCormac Announces Resignation

Brother Dean John W. McCormac of Franklin Law School at Capital University has recently announced his resignation as Dean of that law school. He will, however, remain on the faculty as a full time professor of law.

During his administration of five years, the law school has undergone substantial growth. One of the most notable changes in the law school was the addition of a day school program. Other accomplishments of his administration were the acquisition of a building for classrooms on the University Campus and the expansion of an excellent faculty.

HAYES CHAPTER AWARDS

New officers for 1971 were elected by Rutherford B. Hayes Chapter at Franklin Law school of Capital University. They were installed and awards granted for the 1969-1970 school year on January 20, 1971.

The following brothers were elected December 2, 1970 to serve for the third year of the chapter's existence: Eugene Weiss, Justice; Allan Morgan, Vice-Justice; William Zapp, Clerk; Mark Flanagan, Treasurer; James Hill, Marshall.

Larry Singer, who was also the Charter Justice of Hayes Chapter and its prime organizer, received the Outstanding Member Award for his contributions to the chapter, even following his term as Justice.

The Outstanding Alumni Award went to William Dixon who also serves as Alumni Advisor. James Dodd, a 1970 graduate, received the Scholastic Award for the highest cumulative point average of the graduating class of the school. Brother Dodd also served the chapter as Social Chairman while in his senior year.

The professional programming activities at Hayes for 1970 included a continuation of the Police Ride Program, court tours, seminars conducted by local attorneys and judges, tours of the Ohio State Penitentiary, and a panel discussion regarding prison legal aid in the Ohio penal system. In addition, a program involving students providing assistance to inmates of the Ohio Penitentiary under the guidance of faculty members and local attorneys is being instituted. The chapter is also currently planning the hosting of the Spring Conclave for District X.

Outgoing officers are: Dick Gross, Justice; Russell Stiner, Vice-Justice; Gary Pizzedaz, Clerk; Keith Dobbs, Treasurer; Terry Ryan, Marshall.

Maurer to Atlanta Position

Richard S. Maurer, Delta Air Lines' Senior Vice President-General Counsel and Secretary, has been elected chairman of the Salvation Army Advisory Board of Metropolitan Atlanta for 1971-72. Brother Maurer, a long-term member of the Board, had served as Treasurer during 1969-70. The Advisory Board is responsible for assisting and advising the Army's operations in the Atlanta metropolitan area and plays a major role in the coordination of fund raising, expenditures, community relations, and in the activities of the Salvation Army's other advisory organizations.

Brother Maurer became a member of Keener Chapter while attending Emory University.

Field Secretaries Report on Meeting of Supreme Executive Board

EDWIN F. KELLY, JR.

Owing to the express will of the 38th Biennial Convention of Phi Alpha Delta Law Fraternity, International, as well as the previously expressed desire of the Supreme Executive Board to include students in Board deliberations, both Steve Clark of Garland Chapter at the University of Arkansas and I, from Hammond Chapter at the University of Iowa, were permitted to attend the Supreme Executive Board meeting in Kansas City, December 10-13. We were both in attendance as student observers so that we might be able to communicate the feelings expressed to us by our Brothers in our visitations as Field Secretaries. In turn we both came away with a first hand view of the procedures that are meticulously followed by the Board in governing the affairs of PAD and a renewed appreciation for the unselfish dedication to the welfare of the Fraternity that is exhibited by all of the members of the Supreme Executive Board.

It should be stated that the Supreme Executive Board cannot meet without great personal inconvenience to each of its members. As the Board is composed of some of the most prominent Judges and Attorneys living throughout the United States the matter of scheduling four consecutive days for a Board meeting is difficult. That it is possible at all is only because of a personal willingness on the part of each individual Board member to serve the Fraternity's interests. For the December Board meeting participants came from Texas, Kansas, Missouri, Tennessee, Ohio, the District of Columbia, North Carolina and California.

For four solid days each participant dedicated himself wholly to the welfare of the Fraternity. The meetings usually began over breakfast at 8:00 A.M. each day, and continued through lunch served in our meeting room until the formal sessions adjourned at 5:00 p.m. But even over the supper and evening hours of the day, the participants continued to discuss fraternity problems and possible approaches to them. When the exhausting four day meeting had adjourned over ninety items of business had been successfully transacted.

Among the more notable items the Board took affirmative action on were:

The initiation of steps to promote merger with one or more of the national women's fraternities.

The initiation of inquiry to determine the feasibility of further lowering of the group insurance premiums from their already low amount so that more PADS might have coverage at less expensive rates and the establishment of a program to acquaint all PADS with the programs available so that they may effectively be used in recruitment of members.

The establishment of a standard criteria for election to the Distinguished Service Chapter of Phi Alpha Delta.

The approval of several loans to brother PADS in the United States and the modification of qualifications required to get a PAD loan so that a brother PAD at a Canadian school might qualify for a loan during the period while he is "articling."

The completion of details concerning the final financial arrangements of the New Orleans Convention of last summer as well as preliminary arrangements and planning for the 1972 San Diego Convention. Great time was spent analyzing every detail of the immediate past Convention in light of delegate comments in the Board's effort to make the next Convention a greater success.

The establishment of programs by which alumni chapters may be of great service. The Board was concerned with advisability of the establishment of a post of Alumni Director and an Alumni Handbook.

The establishment of a revised active chapter handbook of possible programs. Chief among such programs might be a sound Effective Speaking Program with a separate manual with exemplary types of speeches for program participants to use in presentations before various civic and school groups.

The establishment of a criteria for the attendance of student observers at Board meetings. It was felt that future Board meetings should be attended by one student from a school in the area where the Board is meeting and one student from an area where the chapters are not as strong as elsewhere. It was felt that to obtain most benefit from student observers they should have at least one year of school left and be required to attend the next conclave in addition to writing an article for *The Reporter*.

The establishment of further criteria for the equitable distribution of scholarships.

The adoption of criteria for the governing of the PAD Fellowship Program and a PAD Book Scholarship Program.

The establishment of PAD Tutorial Programs on a limited trial basis.

The expansion of Phi Alpha Delta into new schools.

The present status of Districts and the establishment of new Districts to better serve active chapters of PAD.

The establishment of further questionnaires so that national services to local chapters might be upgraded.

The establishment of a procedure whereby any chapter using a bus to go to a conclave may receive a second allowance for the seventh man going, thus waiving requirement to take a second car to get the said allowance.

J. STEVEN CLARK

As would be true of most chapter activities, the thought of just what transpires at a Supreme Board Meeting had never really crossed my mind until I received such an invitation. Initially my thoughts were that at least part of the time would be spent in somewhat stilted discussions of fraternity commitments and the direction to follow in policy matters. Coming away from the meeting, I realized the great vitality our organization possesses and that Board Meetings were anything but stilted.

My role in the Board Meeting was to be that of a student observer. However, my participation in fact was much more than that. I served as a sounding board to give student reaction to Supreme Board recommendations. I was involved as a spokesman of student directives and positions. Moreover, I was called on to comment concerning my own personal feelings as to PAD programs and problems. From the opening ceremony, when all present exchanged fraternal handshakes in the spirit of friendship and purpose, I sensed that the Board's request for student observation was in actuality an invitation for direct student involvement. I was part of that involvement and being so was one of my most memorable experiences.

Perhaps the most significant impression left with me from attending the Board Meeting was the conscious, overriding commitment of the Board to follow the directives

Mortillaro Heads Funds Drive

Brother Steve J. Mortillaro has been named general chairman for the fifth annual Alumni Fund Campaign of Louisiana State University.

Proceeds from the drive will be used to underwrite various projects within the university community not supported by state appropriations. Major emphasis will be placed on securing funds for scholarships, student aid, faculty recruitment and retention, high school and community relations, and general research and development.

Mortillaro is city attorney for the New Orleans City Council.

of our convention and to seek the meaningful participation of all PAD's. Our Supreme Board receives its authority from convention mandates, and when there was any doubt as to convention directives the Board sometimes laboriously searched convention minutes for the exact explanation. If words of art such as due diligence and reasonable care are applicable to describe Board action, I can attest that the Board's concern for implementing convention action and obtaining student involvement was a manifestation of such artful terms.

Secondly, I was impressed that though the Board was committed in a collective effort, no one member felt he had to capitulate his earnest convictions as to fraternity direction even though he might compose a minority of one. The interesting point was that Board members argued their positions vigorously and then like most appellate courts of the land didn't hesitate to split their vote on the matter in issue. The beneficial effect of all this, I submit, was that Board members became more aware of all the problems and merits inherent in a particular issue. In addition, this discussion helped Board members to understand their own positions. Moreover, this type dialogue seemed to serve as a catalyst to promote within Board members the desire to relate with students and alumni alike so as to ascertain the sense of PAD's as to issues affecting them.

Thirdly, I was impressed with just the sheer volume of the workload the Board undertook to discuss thoroughly and act upon. The work regimen Board members adhered to probably wouldn't be described as Spartan, but could be classified as at least grueling. Again reflecting back on my initial thoughts of Board Meetings, I expected the Board to put in approximately a 6 or 7 hour work day and that would be it. The fact was that from the moment Board members arrived and until they left, PAD business was the topic of discussion. The Board acted affirmatively on over 90 items of business, and much of this action came only after numerous reports and meetings. Board members often wound up discussing fraternity business until the very early hours of the morning. Having had the privilege of witnessing the Board in action, I thank them for their tireless efforts.

In closing, all that can be said is that attending a Board Meeting is definitely a broadening and learning experience. The knowledge and insight gained into PAD and its leaders serve only to substantiate what one already knows. PHI ALPHA DELTA is the most outstanding legal fraternity in the world. My only hope is that every PAD might have the opportunity to share in the camaraderie and unity of purpose and effort which evidences itself in a meeting of the Supreme Board of Phi Alpha Delta.

Becoming A Naturalized Citizen

By ANTHONY A. DiGRAZIA

(Brother DiGrazia is a Past Supreme Justice of PAD with offices in the Chicago Area.)

A Survey of the requirements for naturalization; the procedures involved, and several problems frequently encountered.

There are only two sources of United States citizenship: birth and naturalization. Citizenship by birth is established by the mere fact of (1) birth in the United States or certain of its possessions or (2) birth outside the United States if both parents are American citizens or in some circumstances if only one parent is an American citizen.¹ Citizenship by naturalization can only be acquired in the manner prescribed by law and the rules and regulations thereunder.

A naturalized citizen is clothed with the same rights as a citizen by birth. The one exception in the Constitution is that only a native born citizen is eligible to be elected President. Where an act of Congress was held to discriminate against naturalized citizens, it was declared unconstitutional by the Supreme Court.²

I. Substantive Requirements for Naturalization.

The Constitution vests the power of naturalization exclusively in Congress,³ and the requirements for naturalization are purely statutory. The first uniform rule of naturalization established by Congress was in 1790. The current law is contained in the Immigration and Nationality Act of 1952,⁴ which repealed all prior nationality acts but retained their main features.

The Act sets forth general requirements for naturalization and also special, less stringent requirements for certain classes of persons — spouses, children and adopted children of United States citizens, aliens who have served in the armed forces of the United States, and certain employees of organizations promoting American interests abroad.

A. General Requirements

1. Age

A person must be at least 18 years of age before he can apply for his own naturalization.⁵ A parent or adoptive parent, however, can file an application on behalf of a child under 18.⁶

2. Lawful admission for permanent residence

Only an alien who has been lawfully admitted to this country for permanent residence, as an immigrant, can be naturalized.⁷ This excludes not only aliens who have entered illegally but also visitors and students, who have been allowed to come into the country only temporarily. The burden of proof is upon the applicant to show that he entered the United States lawfully,⁸ but the regulations provide a presumption of lawful admission in certain cases of long time residence.⁹

3. Residence and physical presence

(a) After an alien has been admitted for permanent residence, he must reside in the United States continuously for at least five years immediately preceding the date he files his petition for naturaliza-

tion.¹⁰ Residence is defined so as not to require an uninterrupted physical presence in the United States for the entire five years.¹¹ However, an absence from the United States for a continuous period of one year or more will break the continuity of residence, and the applicant will be required to complete a new period of residence after he returns to the United States.¹² This means he will have to wait at least four years and one day after he comes back before he can be naturalized.

Under certain circumstances, persons who expect to be continuously absent from the United States for a year or more to work for the United States government, certain corporations or other institutions, or certain international organizations or to serve in religious organizations may apply for permission to be absent from this country without breaking their naturalization residence.¹³ There are important differences between these classes with regard to what is necessary to be eligible for the permission to be absent, when the application must be made, and whether the person may be considered to be physically present as well as residing in the United States during the absence.

(b) Unless coming within one of the exceptions noted above, the applicant must also have been physically present in the United States for a total of 30 months out of the last five years just before he files his petition for naturalization.¹⁴

(c) At least the last six months of the five years' residence before filing the petition must also be residence of the state where the petition is filed.¹⁵

(d) The applicant must, at the time of naturalization, intend to reside permanently in the United States (with certain narrow exceptions).¹⁶

4. Good moral character and loyalty

An applicant for naturalization must show that, during the five years immediately preceding the filing of his petition for naturalization and up until the time he is declared naturalized, he has been a person of good moral character who is attached to the principles of the Constitution and well disposed to the good order and happiness of the United States.¹⁷

The Act specifically provides that

a person cannot be considered of good moral character if he is, or was, at any time during the five year period¹⁸

- (1) a habitual drunkard;
- (2) one who has committed adultery;
- (3) a polygamist, a person illegally connected with prostitution or narcotics, or one convicted of a crime involving moral turpitude;
- (4) a convicted gambler or one getting his principal income from illegal gambling;
- (5) one who has given false testimony for the purpose of obtaining any benefits under the Act;
- (6) one convicted and jailed for as much as 180 days;
- (7) one convicted of murder at any time whether within the five year period or not.

The fact that a person is not within any of the classes listed above does not, however, preclude a finding that for other reasons he is or was not a person of good moral character.

A large number of cases have arisen on the question of what constitutes adultery within the meaning of the statute. "Technical adultery" resulting from a remarriage in good faith following an invalid Mexican divorce has been found not within the aim of the Act,¹⁹ and this interpretation has been followed by the administrative authorities. One court has held that isolated acts of sexual intercourse by a man whose wife had abandoned him did not constitute adultery within the statute and did not preclude the establishment of good moral character.²⁰ Another significant decision involved a 20-year relationship, adulterous at first, which was regularized by marriage within the five-year statutory period. The court held that the premarital conduct within the statutory period was not inconsistent with the establishment of good moral character.²¹ The statutory designation of adultery does not reach extra-marital relationships short of adultery, and the behavior of the parties to such relationships is assessed on the facts of each individual case.²²

5. Literacy and educational requirements

Unless he is physically unable to do so, an applicant for naturalization must be able to speak and understand simple English as well as read and write it, including the ability to sign his name in the English language.²³ An exception to the literacy requirements is made for persons who were over 50 years of age on December 24, 1952, and had at that time been living in the United States for at least 20 years.

In addition, every person applying for his own naturalization, including the aged persons mentioned above, must pass an examination showing that he has a knowledge and understanding of the fundamentals of the history and form of government of the United States.²⁴

B. Special Requirements for Certain Classes of Aliens

Certain requirements are relaxed for the following classes of aliens:

1. A Spouse of a United States citizen.

A person who is married to a citizen of the United States may become naturalized in the same way as any other alien, or he may take advantage of a special naturalization exemption. If the alien's spouse has been a citizen for at least three years, and the alien has been married to and living with the citizen spouse for at least three years just before applying for naturalization, then he or she need only have resided in this country for three rather than five years. Good moral character need only be proved for the three year period, and only 18 months' actual physical presence in the United States is required.²⁵

2. A spouse of a United States citizen stationed abroad

If the citizen is serving abroad in the employment of the United States government or certain Amer-

ican corporations or institutions or as a minister, priest or missionary, no period of residence or physical presence in the United States is required, and the witnesses testifying to the spouse's character and loyalty need have known the applicant only long enough to have been able to form a conclusion regarding his qualifications for citizenship that the judge feels is reliable. The spouse must, however, be lawfully admitted for permanent residence in this country.²⁶ These same special requirements also apply to the surviving spouse of a U.S. serviceman who dies while on active duty.²⁷

3. A child of a United States citizen

The fact that one or both parents may have been citizens of the United States at the time of the child's birth in a foreign country, or may have become naturalized citizens after the child's birth is not enough in itself to give U.S. citizenship automatically to the child unless certain residence requirements are also met.²⁸

Children who do not become citizens automatically through their parents may nevertheless be made citizens if an application is filed by their parents for the naturalization of the children before they reach age 18. A child need not meet the literacy, education or residence requirements outlined above once he has been admitted for permanent residence, and the witnesses who testify to his qualifications are not required to have known him or his parents for any particular length of time.²⁹

4. An adopted child of a United States citizen

The same requirements apply as for the naturalization of a natural child except that there is a two-year residency, and one-year physical presence requirement; and the witnesses must have known the child and his adoptive parents for the two year period. Also, the child must have been adopted, either in the United States or abroad, before he was 16 years of age. If at least one of the adoptive parents is stationed abroad in one of the employment categories mentioned earlier; however, no period of residence is required after the child has been admitted for permanent residence.³⁰

5. Aliens serving in the United States armed services

(a) An alien who served honorably and on active duty, no matter how briefly, during wartime — including Viet Nam — need not have been admitted to permanent residence to apply for naturalization provided he was inducted, enlisted or re-enlisted in the United States or certain American possessions. Also, there is no residence or physical presence requirement, and his witnesses are not required to have known him for any particular period of time.³¹ The same liberal naturalization requirements apply to "Lodge Act" enlistees — aliens who enlisted abroad in the regular army after June 30, 1950, and who have completed five or more years of military service.³²

(b) Other alien servicemen who have at least three years honorable duty, including reserve duty, are exempt from the residency and presence requirements if their service was continuous and they apply for naturalization while in service or within six months after discharge. They are not, however, exempt from the requirement of lawful admission for permanent residence.³³ Even if a serviceman or veteran is unable to qualify for either of these exceptions, he may be naturalized under the general requirements for other classes of aliens if he can meet those requirements.

6. Certain former United States citizens

There are also special, relaxed naturalization requirements for persons who lost their citizenship by service in the armed forces of an ally of the U.S. during World War II,³⁴ and for women who lost

their citizenship prior to 1931 by marrying an alien.

7. Seamen

Alien seamen on U.S. government owned or operated vessels may count the time they served as a seaman outside the United States as residence and physical presence in the U.S.³⁵

8. Employees of certain communications media promoting American interests abroad.

Residence and presence requirements are also waived under certain circumstances for alien employees of Radio Free Europe and Radio Liberty.³⁷

C. Aliens Barred from Naturalization

1. Communist Party members

Generally, a person cannot become a naturalized citizen if at any time during the preceding ten years he has voluntarily been a member of or connected with the Communist Party or a similar organization either within or outside the United States.³⁸ The Supreme Court has indicated, however, that such membership would be evaluated in the light of the "meaningful association" test the Court has applied in deportation cases.³⁹

2. Alien deserters from the United States armed forces, and aliens relieved from training because of alienage.

The Act makes permanently ineligible from naturalization aliens convicted of deserting or evading service in the armed forces during wartime⁴⁰ as well as those who applied for and were given exemption from service on the ground they were aliens.⁴¹ There have been a number of cases, however, in which the courts have avoided applying the latter provision on the ground that the alien was not in fact eligible for exemption,⁴² that the application for exemption was not executed with knowledge of its consequences,⁴³ or that subsequent military service removes the disability.⁴⁴

II. Naturalization Procedures

The Act as administered by the Immigration and Naturalization Service of the Department of Justice, and the applicable provisions of the Act, and regulations issued thereunder set forth the following procedures for naturalization:

1. The "Application to File Petition for Naturalization"

The first step in the process of naturalization is the submission of this application, Form N-400, together with a finger print card, a biographic information form, and three photographs.⁴⁵ A parent filing for the naturalization of a child or adopted child uses Form N-402.

2. Preliminary investigation

Before filing his petition for naturalization in court, the applicant and two citizen witnesses who can testify to the applicant's qualifications for citizenship must appear before a naturalization examiner. The applicant and each witness are interrogated separately and apart from one another. An attorney or representative may be present if he has filed a notice of appearance, but he may not take part in the questioning.⁴⁶ This investigation is not a formal proceeding, and the rules of evidence do not apply.

3. The "Petition for Naturalization"

The applicant then must file the petition, Form N-405, in person (unless he is ill or disabled) with the clerk of a court which has jurisdiction to naturalize. The filing fee is \$25.⁴⁷

4. Preliminary examination

Prior to the court hearing, there is a formal examination before an INS examiner. This examination is open to the public; the attorney may take part, and there is a right to subpoena witnesses and documents and cross-examine. Based on the testimony of the applicant and his witnesses and documents submitted, the examiner makes his recommendation to the court as to whether the petition for naturalization should be granted or denied. The examiner may excuse wit-

(Continued on Page 7)

Do You Have A Copy Of The PAD History?

The official History of PAD is now available to all alumni members. Alumni who have paid their dues for the current year may obtain a copy from the Executive Office for the price of \$2.50. All others may obtain a copy at a cost of 5.00.

The History is bound in hardback and its 97 pages are divided into seven sections which are: The Prologue, The Formative Years, The War Years and Recovery, The Years of Adversity, The Years of Challenge, The Golden Years, and Accent on Professionalism. Replete with pictures, the History is a valuable addition to the library of all PADs.

Members desiring to order a copy may use the form below:

TO: Executive Office
10722 White Oak Avenue
Phi Alpha Delta Law Fraternity, International
Granada Hills, California 91344

Please send me a copy of the official History of PAD. Enclosed is my check in the amount of \$_____ (\$2.50 if current year's alumni dues are paid, otherwise \$5.00).

Name _____

Address _____

nesses from attending the final hearing.⁴⁸

5. Final hearing

If the examiner has recommended approval, the petitioner will be granted citizenship at a hearing in open court after he takes an oath of allegiance to the United States and gives up allegiance to his foreign country.⁴⁹ The petitioner may be excused from attending in cases of sickness or physical disability. Also, with certain exceptions, there is a 30-day minimum waiting period between the date of filing the petition and the court hearing.

If the examiner denies recommendation, the petitioner or his attorney must be notified at least 30 days before the court hearing, and the petitioner is entitled to a judicial hearing de novo on his qualifications for citizenship.⁵⁰

Either at the final hearing or subsequently by mail the new citizen will receive a certificate of naturalization.⁵¹

III. Problems Frequently Encountered

There are a number of problems often encountered in connection with naturalization. The following list in no way attempts to cover all the possible problems; it does, however, illustrate a few of the more frequent ones.

A. The Alien was not Admitted as an Immigrant.

As was noted earlier, except in the case of certain veterans, being admitted for permanent residence as an immigrant is a necessary pre-requisite to applying for naturalization. Those aliens whose entry was for a temporary purpose as a non-immigrant are not eligible for citizenship. This includes those admitted as students or visitors.

Two avenues thus are open to the foreign student or visitor desirous of obtaining citizenship: (1) He can enlist in the armed forces. If he is accepted and serves honorably, he will come within the exception granted veterans who serve during wartime (which includes the Viet Nam hostilities). (2) He can seek immigrant status, the availability of which will depend on his coming within the quota requirements and preferences which apply to immigrants, but not to temporary alien residents. In most cases, non-immigrant aliens presently in the United States lawfully may apply for an adjustment of status to that of permanent residence without leaving the U.S. The requirements for obtaining permanent residence are a complex area of law, and no attempt will be made to discuss them here.⁵²

B. The Alien is unable to Locate the Record of His Lawful Admission for Permanent Residence.

Inability to locate records is often a problem for older people who have been long time residents, but have insufficient facts as to how they entered this country. For example, they may have been brought here during childhood and may never have known just when or how they came. The statute provides several possible solutions that may apply in such situations:

(1) There is a presumption of lawful admission for permanent residence for aliens who entered this country prior to 1906; later dates are set for entrants from Canada, Mexico and the Virgin Islands.⁵³

(2) An alien otherwise eligible for citizenship who has resided in the United States ever since 1948 can have a record of his lawful admission for permanent residence created. The proper application is Form I-485. The record of his admission will be made as of the date his application is approved, and he will then have to complete whatever additional residence in the U.S. is required for naturalization. If he proves he has been in this country since 1924, however, the record of his admission will be as of the date of his actual entry, and he will be able to apply for citizenship without completing any more residence.⁵⁴

(3) He can apply for an adjustment in status as mentioned above. This proceeding would result in a record showing the alien was lawfully admitted for permanent residence as of the date the order is made, and the alien would be eligible for naturalization on completion of the residence requirements after that date.⁵⁵

C. Other Problems

A problem will also arise if the alien's admission for permanent residence was obtained by a quota fraud, or where entry was made under other than a true name.⁵⁶ There can also be a problem if the alien was excludable at the time of his last entry into the U.S. on grounds other than quota fraud, such as problems of mental history, or a criminal or subversive background,⁵⁷ or if he is deportable for actions which do not invalidate his immigrant status.⁵⁸

This survey of the law relating to naturalization is intended to be just that — a survey — and no more. The area of immigration and naturalization law is comprised of a complex body of statutory provisions, regulations, forms, administrative determinations and judicial decisions which should be thoroughly consulted by a practitioner with a client seeking to become a citizen. The Immigration and Naturalization Service has at least one "contact representative" at each office whose function is to assist members of the public — lawyers included — through the details of the naturalization and immigration process. The Service also makes available to prospective citizens a helpful pamphlet entitled "Naturalization Requirements and General Information." Finally the applicable forms are accompanied by detailed instructions, and these instructions have the authority of regulations.

FOOTNOTES

1. Immigration and Nationality Act /INA/ §§ 301-07, 8 U.S.C. §§1401-07.
2. *Schneider v. Rusk*, 377 U.S. 163 (1964).
3. U.S. Const., Art. I, § 8.
4. 8 U.S.C. §§ et seq. (66 Stat. 163).
5. INA § 334 (b) (1), 8 U.S.C. § 1445 (b) (1).
6. INA § 322-23, 8 U.S.C. §§ 1433-34.
7. INA §§ (316) (a) (1), 101(a) (20); 8 U.S.C. §§ 1427(a) (1), 1011(a) (20)
8. INA § 318, 8 U.S.C. § 1429.
9. 8 C.F.R. § 101.1.
10. INA § 316(a) (1), 8 U.S.C. § 1427(a) (1).
11. INA § 101(a) (33), 8 U.S.C. § 1101(a) (33).
12. INA § 316(b), 8 U.S.C. § 1427(b).
13. INA §§ 316(b), 317, 8 U.S.C. §§ 1427(b), 1428; 8 C.F.R. §§ 316a.2-21.
14. INA § 316(a) (1), 8 U.S.C. § 1427(a) (1).
15. *Id.*
16. INA §§ 338, 324(a) (2), U.S.C. §§ 1449, 1435(a) (2).
17. § INA 316(a), 8 U.S.C. § 1427(a).
18. INA § 101(f), 8 U.S.C. § 1101(f).
19. *Dickinhoff v. Shaughnessy*, 142 F. Supp. 535 (S.D.N.Y. 1956).
20. *Wadman v. Immigration & Naturalization Service*, 329 F.2d 812 (9th Cir. 1064).
21. *Posusta v. United States*, 285 F.2d 533 (2nd Cir. 1961). **But see** *Gutierrez-Sosa v. Del Guercio*, 247 F.2d 266 (9th Cir. 1957).
22. *Estrada-Ojeda v. Del Guercio*, 252 F.2d 904 (9th Cir. 1958);

Flumerfelt v. United States, 230 F.2d 870 (9th Cir. 1956); *Petition of Kielblock*, 163 F. Supp. 687 (S.D. Calif. 1958).

23. INA § 312(1), 8 U.S.C. § 1423(1).
24. INA § 312(2), 8 U.S.C. § 1423(2).
25. INA §§ 319(a), 101(a) (35); 8 U.S.C. §§ 1435(a), 1101(a) (35).
26. INA § 319(b), 8 U.S.C. § 1430(b); 8 C.F.R. §§ 319.12, 319.4-11.
27. INA § 319(d), 8 U.S.C. § 1430(d).
28. INA §§ 301, 321, 8 U.S.C. §§ 1401, 1432.
29. INA §§ 322, 101(c) (1); 8 U.S.C. §§ 1433, 1101(c) (1).
30. INA § 323, 8 U.S.C. § 1434.
31. INA § 329, 8 U.S.C. § 1440.
32. INA § 402(e), 8 U.S.C. §1440 note.
33. INA § 328, 8 U.S.C. § 1439.
34. INA § 327, 8 U.S.C. § 1438.
35. INA § 324, 8 U.S.C. § 1441(a) (1).
37. INA § 319(c), 8 U.S.C. § 1430(c), 8 C.F.R. § 319.5
38. INA §§ 313, 101(a) (2), (37), (40) & (e), 8 U.S.C. §§ 1424, 1101 (a) (2), (37), (40) & (e).
39. *Polites v. United States*, 364 U.S. 426 (1960).
40. INA § 314, 8 U.S.C. § 1425.
41. INA § 315, 8 U.S.C. § 1426.
42. *In re Rego*, 289 F.2d 174 (3rd Cir. 1961); *cf. Ungo v. Beechie*, 311 F.2d 905 (9th Cir. 1963), **cert. denied**, 373 U.S. 911 (1964). **But see** *Petition of Skender*, 248 F.2d 92 (2nd Cir. 1957).
43. *Bachmann v. United States*, 327 F.2d 415 (9th Cir. 1964); *Bruner v. Del Guercio*, 259 F.2d 583 (9th Cir. 1958); *Machado v. McGrath*, 193 F.2d 706 (D.C. Cir. 1951). **But see** *Ambra v. Ahrens*, 325 F.2d 468 (5th Cir. 1963); *United States v. Kenny*, 247 F.2d 139 (2d Cir. 1957).
44. *United States v. Hoellger*, 373 F.2d 765 (2d Cir. 1969); *United States v. Lacher*, 299 F.2d 919 (9th Cir. 1962). **But see** *Gilligan v. Barton*, 265 F.2d 904 (8th Cir. 1959); *In re Cuozzo*, 235 F.2d 184 (3rd Cir. 1956); *cf. Lapeniek v. Immigration & Naturalization Service*, 389 F.2d 343 (9th Cir.), **cert. denied** 391 U.S. 951 (1968).
45. INA §§ 332-34, 8 U.S.C. §§ 1443-45; 8 C.F.R. §§ 103.2, 332 a.1-2, 333.1, 334.11
46. 8 C.F.R. §§ 332.11-13, 1.1(f) & (j), 292.4.
47. INA §§ 334, 310 8 U.S.C. §§ 1445, 1421; 8 C.F.R. §§ 334.13-14, - 21.
48. INA § 335, 8 U.S.C. § 1446; 8 C.F.R. §§ 335.11-12.
49. INA §§ 336-37, 8 U.S.C. §§ 1447-48.
50. INA § 336(b), 8 U.S.C. § 1447(b); 8 C.F.R. § 335.13.
51. INA § 338, 8 U.S.C. § 1449; 8 C.F.R. § 338.11.
52. **See** INA §§ 201.49, 8 U.S.C. §§ 1151-1259; 8 C.F.R. §§ 101-249; *Gordon & Rosenfeld, Immigration Law and Procedure*.
53. 8 C.F.R. § 101.1.
54. INA § 249, 8 U.S.C. § 1259.
55. INA § 245, 8 U.S.C. § 1255.
56. **See** INA § 241(f), 8 U.S.C. § 1251 (f); 8 C.F.R. § 101.2.
57. **See** INA § 212, 8 U.S.C. § 1182. **See also** *Rosenberg v. Fleuti*, 347 U.S. 449 (1963).
58. INA § 318, 8 U.S.C. § 1429.

Frelinghusen Has New Programs

On November 20, 1970, Frelinghuysen Chapter of Rutgers Camden Law School conducted an opinion poll in which 212 students participated. The questions dealt with the elimination of class standing, revision of the grading system and additional academic credit for Clinic in Law participation.

On the previous day the chapter hosted a forum on eliminating class standing in which Professors Barbara Kulzer, Calvin W. Corman, Thomas Haggard and Andrew Dolan expressed their opinions on the merits of the proposal. A large student attendance at the forum hotly discussed the issue with the faculty panelists.

71 per cent of the student participating in the poll indicated that they favored eliminating class standing.

After initiating in 1970 a book exchange for the students at Rutgers, Camden, Frelinghuysen Chapter announced that the project was successful and would continue. The PAD chapter accepted books and acted as sales agent. After the books were sold the sellers received 90% of the selling price. The remaining 10% was used by the Chapter to purchase several copies of *Simpson on Contracts* which were donated to the law school library.

Turner Named FTC Advisor

Lawrence S. Turner, a Warren, Ohio, lawyer, has been named attorney adviser to Federal Trade Commissioner David S. Dennison, Jr.

Brother Turner, a native of Anderson, Indiana, received a degree in business administration from the University of Akron in 1963 and a law degree from Western Reserve University in 1966. He was a recipient of the Western Reserve Alumni Honors Scholarship, a member of the editorial board and business manager of the *Western Reserve Law Review*.

Prior to entering private practice, Brother Turner was a research attorney for the Ohio State Legislative Service Commission and counsel to the Ohio House Judiciary Committee on Civil Disturbance and special assistant to the Ohio Attorney General.

Brother Turner, a member of Hay Chapter at Western Reserve University, also served PAD as District Justice of District IX.

He is a member of the American and Ohio State Bar Associations.

SAMMIS CHAPTER

(Continued from Page 1)

Charter members included: Louis V. Aguilar, Edward Babic, David Beck, Thomas Brunwin, Helen Bunt, Tom Chaves, Lee Coleman, Donald Conviser, Marion Douglas, Linda Elliott, Emilio Gurrola, Stackley Harrel, Jr., Robert Hitchens, Steven Hoover, Daniel O'Brien, Richard Saavedra, Jacqueline Hill Smith, Judith Mae Stockfish, Charles Stokes, Brian Sutton, Marlene Tassone, Allan Whelan, Reginald Yates, Luis Zemel, G. Michael Curls, John Henry Edwards, III, Howard Fondler, John Antoine Khoury, Samuel Lambert, John Marlette, Benson Marshall, Alexander McNair, Emanuel Sedacca, Dennis Howard Schuck, Kathryn Wallace, Allen Webster, Jr., Charles D. Weede, Jr., Richard W. Hecht, R. Edward Brown, George J. Brusky, Jr., Gert K. Hirshberg, Frank R. Catallo, William Graham, Herbert Silverman and James C. Williams.

The Chapter was named after our late Brother Arthur Sammis, a former Dean of Hastings College of Law.



DR. ELWYN L. CADY, SR.

E. L. Cady Dies

Dr. Elwyn L. Cady, Sr., agricultural economist and attorney, passed away on December 15, 1970. Brother Cady received a bachelor of science degree in agriculture at the University of Missouri-Columbia; a master of science and a doctor of philosophy degree in agricultural economics at Iowa State University, and a doctor of laws degree at the law school of the University of Missouri-Kansas City.

Brother Cady served as an agricultural extension marketing specialist on the staff of Iowa State University for 17 years. During that time he also spent three summers with the Department of Agriculture in Washington where he aided in drafting the federal crop insurance act.

Brother Cady, a member of Benton Chapter, has been very active in PAD in Kansas City, Missouri. For the past ten years he has been in practice with his son Elwyn L. Cady, Jr., who is also a member of Benton Chapter.

His affiliations included Delta Sigma Pi business fraternity, American Agricultural Association, the American Economic Association, the American Statistical Association, the Missouri Bar and the Kansas City Bar Association and the American Trial Lawyers Association.

FBI Tour For Ford Chapter

On March 2nd, the brothers of Ford Chapter were treated to an in-depth tour of the new Federal Bureau of Investigation facilities in Los Angeles. Special Agents explained the many aspects of the F.B.I. and the Bureau's operations in Los Angeles.

The Special Agent in Charge of the Los Angeles Bureau, Mr. Wesley G. Grapp, explained Career opportunities for legally-trained persons in the F.B.I. to Chapter members, and the requirements and qualifications of Agents.

The tour lasted approximately 2½ hours, and included talks by the heads of the various units on the duties and operations of their respective areas.

Weston Becomes Special Assistant

Brother William I. Weston, who has served as Field Secretary for the past several months, has been appointed by the Supreme Executive Board to the position of Special Assistant to the Supreme Justice.

In his new position, Brother Weston, who is also Assistant Director of the Maryland State Bar Association, will be assigned to the field of public relations and publications.

Phi Alpha Delta

GROUP LONG TERM DISABILITY INCOME PLAN

available at LOW GROUP RATES exclusively to members

Pays you up to 75% of your average monthly income when you're disabled and can't practice.
MAXIMUM MONTHLY BENEFIT AVAILABLE NOW \$1,000.

PAYS: from the 15th day or 31st day of disability (you select the amount and plan that meets your needs and fits your budget).

PAYS: up to LIFETIME for disabling injury.

PAYS: up to FIVE FULL YEARS for disabling illness.

PAYS: \$1,000 for accidental death, or loss of any two members (hands, feet, or sight of both eyes), and up to \$500 for other dismemberment losses occurring within 180 days of the accident.

PAYS: one-half your monthly benefit for up to 3 months while you're partially disabled and recovering from a totally disabling injury.

PAYS: up to one-fourth your monthly benefit for non-disabling injury for which you've received a physician's attention within 30 days of the accident.

PLAN 1

BENEFITS ARE PAYABLE FROM THE 15TH DAY OF DISABILITY

Monthly Disability Benefit*	Accidental Death and Dismemberment Benefit	Low quarterly cost at your age**			
		Under Age 40	40 - 49	50 - 59	60 - 69
\$1,000	\$1,000	\$65.75	\$83.25	\$125.75	\$175.75
900	1,000	59.25	75.00	113.25	158.25
800	1,000	52.75	66.75	100.75	140.75
700	1,000	46.25	58.50	88.25	123.25
600	1,000	39.75	50.25	75.75	105.75
500	1,000	33.25	42.00	63.25	88.25
400	1,000	26.75	33.75	50.75	70.75
300	1,000	20.25	25.50	38.25	53.25
200	1,000	13.75	17.25	25.75	35.75
100	1,000	7.25	9.00	13.25	18.25

PLAN 2

BENEFITS ARE PAYABLE FROM THE 31ST DAY OF DISABILITY

Monthly Disability Benefit*	Accidental Death and Dismemberment Benefit	Low quarterly cost at your age**			
		Under Age 40	40 - 49	50 - 59	60 - 69
\$1,000	\$1,000	\$55.75	\$70.75	\$108.25	\$163.25
900	1,000	50.25	63.75	97.50	147.00
800	1,000	44.75	56.75	86.75	130.75
700	1,000	39.25	49.75	76.00	114.50
600	1,000	33.75	42.75	65.25	98.25
500	1,000	28.25	35.75	54.50	82.00
400	1,000	22.75	28.75	43.75	65.75
300	1,000	17.25	21.75	33.00	49.50
200	1,000	11.75	14.75	22.25	33.25
100	1,000	6.25	7.75	11.50	17.00

* You may select any amount up to 75% of your average monthly income.

** Premiums apply at your age on effective date and at attained age on renewal dates.

Benefits are free from income tax, and paid directly to you.

Dependable Protection — Coverage remains in force as long as you are a member, pay premiums, and the plan exists, until age 70.

24 Hour / Worldwide Coverage — Protects against disabling injury or illness occurring on or off the job, twenty-four hours a day, anywhere in the world.

No House Confinement or Hospital Confinement — You don't have to be bedridden to qualify for benefits.

Benefits are Stable — Benefits will not be reduced regardless of the number of claims, or other insurance you may have or later acquire.

Full Benefits for Recurring Illness — Recurring illnesses will be treated as a new illness, entitled to full benefits, if separated by a return to full-time work for at least 90 days.

No Premiums to Pay While Disabled — Premiums are waived after 6 continuous months of total disability for the remainder of the period for which benefits are payable.

Cost is Low — The fraternity's group buying power and the economies of group enrollment and administration procedures work to keep costs to a minimum. These cost savings are passed on to you in the form of low premiums.

Few Exclusions — These few and logical exclusions also help to keep costs down: suicide or self destruction; war or act of war; military service; pregnancy; and operating, learning to operate, or serving as a crew member on an aircraft.

Eligibility — Any member of the Fraternity under age 60 is eligible to apply. All applications will be individually underwritten.

Check plan desired ☐ Plan 1 ☐ Plan 2

Amount of monthly disability benefit \$ _____

APPLICATION

Complete and mail to:
 Phi Alpha Delta Law Fraternity
 10722 White Oak Avenue,
 Granada Hills, Calif. 91344



Phi Alpha Delta
Group Disability Income Plan

NAME _____
 IN FULL _____

ADDRESS _____

CITY _____

STATE _____ ZIP _____

Date of Birth _____ Height _____ Weight _____

Occupation _____

Beneficiary _____

Relation _____

Please bill me (check one)

☐ Annually ☐ Semi-Annually ☐ Quarterly

1 Are you now performing your duties of your occupation on a full time basis? _____

2 To the best of your knowledge are you in good health and free from any physical impairment or disease? _____

3 What medical or surgical advice or treatment have you had in the past 5 years? _____

4 What other Accident and Health Insurance are you now carrying? _____

5 Does your total monthly indemnity applied for and carried in this and all other companies exceed 75% of your average monthly earnings? _____

6 Do you represent each and all of the foregoing answers to be true and complete to the best of your knowledge and belief? _____

Date _____ Signature of Applicant **X** _____

Underwritten by AMERICAN CASUALTY COMPANY
 OF READING, PENNSYLVANIA

A member of **CNA** Financial Corporation

To avoid delay be sure to complete ALL items.

1-A2-1883-DU