

1-1-1955

## THE AMERICAN LAWYER. A Summary of the Survey of the Legal Profession. By Albert P. Blaustein and Charles O. Porter, with Charles T. Duncan. Chicago: University of Chicago Press, 1954.

Clifford C. Alloway  
*University of Miami School of Law*

Follow this and additional works at: <https://repository.law.miami.edu/umlr>



Part of the [Law Commons](#)

---

### Recommended Citation

Clifford C. Alloway, *THE AMERICAN LAWYER. A Summary of the Survey of the Legal Profession. By Albert P. Blaustein and Charles O. Porter, with Charles T. Duncan. Chicago: University of Chicago Press, 1954.*, 9 U. Miami L. Rev. 244 (1955)  
Available at: <https://repository.law.miami.edu/umlr/vol9/iss2/17>

This Book Review is brought to you for free and open access by the Journals at University of Miami School of Law Institutional Repository. It has been accepted for inclusion in University of Miami Law Review by an authorized editor of University of Miami School of Law Institutional Repository. For more information, please contact [library@law.miami.edu](mailto:library@law.miami.edu).

# BOOK REVIEW

THE AMERICAN LAWYER. A Summary of the Survey of the Legal Profession.  
By Albert P. Blaustein and Charles O. Porter, with Charles T. Duncan.  
Chicago: University of Chicago Press, 1954. Pp. 360. \$5.50.

*The American Lawyer* is an unusual work; when an editor asked me to review I acquiesced because of curiosity about what the authors call their "Summary of the Survey of the Legal Profession". The foreword indicates *The American Lawyer's* function:

"This book is designed to make available to leaders of public opinion business executives, economists, editors, journalists, labor leaders, clergymen, scholars, social workers, sociologists, teachers and vocational guidance counselors — as well as to members of the public generally and to members of the bar a summary of the facts, cognate material, and recommendations assembled by the Survey of the Legal Profession during the last seven years. These materials were published in approximately 175 separate reports written by the "Survey Team" of over four hundred men and women . . ."

The general idea being that since most of the Survey reports make up an extraordinary bulk, not generally available even to the isolated reader having adequate time to pursue the totality, a "summary" of the really extraordinary Survey of the Legal Profession will do just as well. It is perhaps natural to look askance at abridgments, summaries, digests and so on — what television does to practically every classic exemplifies what I mean — and *The American Lawyer*, unread, probably bears the same odious presumption. Having read this book I am now a Blaustein and Porter convert, for they have accomplished the difficult; an unusually massive and diversified subject matter has been summarized so that the reader feels a sense of accomplishment and satisfaction in their summary alone.

*The American Lawyer* is divided into nine chapters, in 341 pages, which relate an astonishing amount of information, all about law and law-men, in just about every facet except perhaps the philosophical (and after all the Survey left this out). Chapter one, *The Legal Profession: Status in Society* follows its title almost too well, statistics being what they are. Did you know that lawyers from ages thirty-seven to fifty-six are more likely to be found in cities with a population of more than 200,000 than in the smaller towns? Or that the average office overhead cost is 31.06 per cent? That the shortest office hours recorded for law partners are from 9:00 A.M. to 4:00 P.M.? Personally I found the chapter fascinating. Facts about the American lawyer overwhelm one, his distribution, number, income and so on. Chapter two, *Profession Services by*

*Lawyers*, is a neat little essay on the lawyer's work with respect to servicing labor, business, the public and government. The chapter contains facts running from the number of attorneys employed as corporation house counsel to truisms such as that "Lawyers in Federal service also have excellent opportunities for promotion to high executive positions". Chapter three, *Availability of Legal Services* is informatively enjoyable. Legal aid functions, problems and general scope are dealt with at very satisfactory length and quality. The same cannot be said of the very brief lawyer-reference plans section. *Public Service by Lawyers*, Chapter four, deals with the lawyer in the legislature and city-hall. Legal assistance to servicemen is descriptively displayed to give the reader an avid picture of their little known public service of lawyers. The figures are impressive, for example, army legal assistance in 1945 handled an estimated 4,000,000 cases. The lawyer as a "fighting man" receives little attention — with the vast improvement in military justice inherent in the recent military reforms being naturally omitted. Why divorce and arbitration lawyers' problems suddenly become a "public service" function escapes this reviewer. Chapter five, *Judicial Services*, details the various reform proposals about judges and judicial administration, both on the trial and appellate level. Chapter six, *Legal Education*, attempts a portrayal of the many difficulties facing the legal educator and law school. Anyone particularly interested in this general field should, of course, read Albert J. Harno's brilliant survey, *Legal Education in the United States*. Blaustein and Porter manage quite well, however, in approximately fifty pages, a history of American legal education, the case method, relation of law teaching to the other social sciences, something slight on the present status of law schools, standards, pre-law school problems and the educational status of lawyers. All are dealt with in essay fashion. The chapter, to this reviewer, seems inadequate since so much in legal education which needs reflection and solution was not there,<sup>1</sup> but the criticism is unfair since anyone *particularly* interested in any *particular* portion of the Survey will be similarly disappointed.

Chapter seven, *Admission to the Bar* will be notable to anyone, I am sure, who wants to think about bar admission. It is mainly a comparative study of the state and federal practice. This reviewer enjoyed Chapter eight *Ethics of the Law* considerably more than *Conduct of Judges and Lawyers*.<sup>2</sup>

The chapter is well organized and dramatizes the education or disciplinary attitudes quite well. Election and conduct of judges is included, as is the press and fair trial controversy, with a few of its ramifications.

1. *The Journal of Legal Education* is continually filled with the sort of pedagogical doctrinaire that I mean.

2. The Phillips and McCoy report for the Survey. Probably lack of particular interest is the reason.

Dean Pound's series of articles on the history of the bar<sup>3</sup> find some of their way into print again in Chapter nine, *Organization of the Legal Profession*. Herein is included a great deal of informational material on just about every conceivable organization of lawyers in the United States.

There are a few unrewarding criticisms one could make of *The American Lawyer*, but nothing which seriously detracts from the value of the book — and value there is. Everyone really interested in law dips into the Survey mass now and then as interest and time dictate and permit. Here is a well written, excellently organized sampling of the survey — accomplished with an editorial finesse which has abstracted most of the major problems the American lawyer presently appears to worry about. To me, any summary which is able in intelligible fashion to comment that twelve percent of the American law school student body decided to study law before they were fifteen years old, and also manages to incorporate a crisp essay on the organized bar in the U.S.S.R. has a great deal any lawyer should peruse.

This summary, of course, follows the Survey faithfully and therein undoubtedly is its major accomplishment. For the Survey's only ultimate value lies in what law-men and associated brethren and laymen will do to solve the revealed problems. This book should be a great help in propagandizing the essence of the Survey of the Legal Profession to a much greater extent than could otherwise be hoped for. It is interesting to note that many of the Survey reporters indicate that effective legal advancement awaits just such problem advertisement.<sup>4</sup>

CLIFFORD C. ALLOWAY

ASSOCIATE PROFESSOR OF LAW  
UNIVERSITY OF MIAMI

---

3. Pound, 19 NOTRE DAME LAW 203, 228, 315, 334 (1944).

4. Education of the public to their need for legal services and to alter the apparent disrespect a large part of the public bears toward the bar—are good examples.